



Hasta el momento, el mes de

LA MEDIA DE LLUVIAS EN NOVIEMBRE ALCANZAN LOS 39  
**En sólo 4 días se recoge casi la media de las lluvias previstas en noviembre**  
Durante la jornada de ayer se recogieron, según datos del Observatorio de la Agencia Estatal de Meteorología, 16,4 litros

MICROSIN CAMACHO  
CÓRDOBA

Cuando sólo han transcurrido cuatro días del mes de noviembre, ya se ha registrado casi la media de lluvia prevista para todo el mes. Así, según indica a Lanza el meteorólogo Observatorio de la Agencia Estatal de Meteorología (AEMET) en Ciudad Real, Jorge Camacho, la media de lluvias que se registra tradicionalmente en este mes es de 40 litros por metro cuadrado, y según los datos más recientes de ayer, recogidos a las 19.00 horas, ya se habían alcanzado los 34 litros por metro cuadrado desde el día 1.

En concreto, y según los datos facilitados por el Observatorio, el pasado día 3 se recogieron 3,2 litros por metro cuadrado, el día 4, 11,4 litros, y el día 5, 11,8 litros. Los datos más recientes, recogidos ayer, suman ya los 34,4 litros por metro cuadrado.

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A partir del domingo disminuirá la probabilidad de precipitaciones y habrá más días

de sol. Por lo que se refiere a los próximos días, indicó que a lo largo de este fin de semana disminuirá el riesgo de precipitaciones, de forma que el domingo ya se registrará más días de sol.

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HISTORY FROM THE GRAVE  
Politics of memory in exhumations of mass graves from the Spanish Civil War

ULTIMA SEMANA  
Suben ligeramente las reservas de los bancos de la provincia

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LANZA

SABADO, 5 DE NOVIEMBRE DE 2011

Jesús Mariñel

Roberto

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# HISTORY FROM THE GRAVE

Politics of memory in exhumations of mass graves from the Spanish Civil War

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Proefschrift voorgedrag tot het behalen van de graad van doctor in de geschiedenis  
Promotor: prof. dr. Gita Deneckere

To René, Nuria, Marco, and Alex, true *resistentes*

“I often dream that the whole team sleeps here next to the mass grave. We laugh, we enjoy ourselves, all things that are part of the association and the exhumation. I don’t know if it means a kind of protection for the grave, or that we are so involved that we want to be here, day and night.”

“I dream a lot. I always dream that I am in *el Monte* and that I am a *guerrillero*, always, always.”

“I dream all the time about this work; it is something that absorbs you. When you are full of something, it is hard, because it is *memoria histórica* 24/7, and the stories they tell you are tragic. But if a victim’s relative gives you a hug, you know why you do it. If you start dreaming or become a little schizophrenic, it is all worthed. And that is why you do it again and again.”



Promotor	Prof. dr. Gita Deneckere, Vakgroep Geschiedenis
Decaan	Prof. dr. Marc Boone
Rector	Prof. dr. Anne De Paepe

Dutch translation:

‘Geschiedenis uit het graf. Politiek van herinnering in opgravingen van massagraven van de Spaanse Burgeroorlog’

Spanish translation:

‘Historia desde la tumba. Políticas de la memoria en exhumaciones de fosas comunes de la Guerra Civil Española’

Cover design: Fien Danniau

Cover photo: Katrien Vermeire. Photo taken in Chillón, when the remains of nine victims of Francoism were exhumed, gathered and wrapped in newspapers before being transported to a laboratory for forensic analysis.



Faculteit Letteren & Wijsbegeerte

Lore Colaert

# *History from the Grave*

*Politics of memory in exhumations of mass graves  
from the Spanish Civil War*

Proefschrift voorgedragen tot het behalen van de graad van  
Doctor in de Geschiedenis

2015



# Preface: To the memory activists in Spain

Ghent, January 15, 2015.

To the ones who live with the memory of the Spanish Civil War every day: activists, and friends and relatives of the victims of repression.

This is a book written on the basis of your memories and actions. My interpretation of those is only secondhand. This book is thus as much yours as it is mine. However, this dissertation aims to offer an independent and critical perspective, which means that it is possible that it does not always reflect your view. Let me explain this in this preface.

This book, based on our collaboration in six exhumations and reburials of exhumations of mass graves of the Spanish Civil War, is written in the form of a PhD dissertation. I started this PhD as part of an investigation of how history is lived ‘in practice’ in different ways and of what its political implications are today. With a framework of memory studies, historical theory, and transitional justice, the dissertation aims to assess the impact of the exhumations. Your rich and deeply personal stories, experiences, and emotions that informed my research during fieldwork might therefore not always be fully represented in the rational arguments of this dissertation. Nonetheless, following sociologist Robert Hertz, I believe that rational analysis from an independent perspective is valuable, even about an issue as sensitive as the dead in the mass graves of the Spanish Civil War:

We all believe we know what death is because it is a familiar event and one that arouses intense emotion. It seems both ridiculous and sacrilegious to question the value of this intimate knowledge and to wish to apply reason to a subject where only the heart is competent. Yet, [...] death is the object of a collective



representation. This representation is neither simple nor unchangeable: it calls for an analysis of its elements as well as a search for its origin.<sup>1</sup>

In 2010, I embarked on fieldwork in Spain, and I became deeply involved in your social movement. I expected you to be my informants, but you turned out to be friends. Back in Belgium in 2012, I started to take some distance, and my role changed again from participant to observer. During the writing process I struggled with doubts about my work. I did not enjoy being removed from the action in Spain, where the memory movement was increasingly joining the protests against austerity measures and structural inequality. On top of that, some of you also disagreed with how I represented your reality.

Tensions between my academic perspective and your experience probably remain present in this dissertation, but nevertheless I hope that the text keeps the complexity and empathic force present in the exhumations intact. I hope that the encounter between memory activism and memory studies in this project will turn out to have been enriching for all of us: the ones personally involved, activists, and scholars. Even if our roles in the exhumation movement have been different, we are still *en la misma barca*, in the same boat.

This dissertation will put forward some conclusions, but my journey with you also taught me some lessons for life. It renewed my historical and political consciousness. As a child of an age in which both politics and history had been declared to have ended in 1989,<sup>2</sup> I learned that, on the contrary, history *does* matter, if it is able to show how the present could have been different. The discovery of the values that Europe lost in the mass graves of the Spanish Civil War have made it more clear to me which struggles we need to fight today.

Your social movement comes very close to how philosopher Walter Benjamin pictured the historian, as someone who brings “past and present together in an image of truth.” Benjamin’s historian is a “ragpicker, rummaging through the detritus of history looking for the cast-off, the discarded, and that which is in danger of being lost. Put another way, the task of the historian is to ‘brush history against the grain.’”<sup>3</sup> My respect for your fight remains untouched: a fight for a more just Spain and Europe, that at times seems an utopia but also, at the same time, a spectre from the past. Let’s keep on working for that, and hope for all but closure in this struggle.

---

<sup>1</sup> Robert Hertz, “A Contribution to the Study of the Collective Representation of Death,” in *Death, Mourning, and Burial: A Cross-Cultural Reader*, ed. Antonius C.G.M. Robben (Malden: Blackwell Publishing, 2004), 197.

<sup>2</sup> See Francis Fukuyama, “The End of History?” *The National Interest* (1989).

<sup>3</sup> Paraphrases of Walter Benjamin, in Steven T. Ostovich, “Epilogue: Dangerous Memories,” in *The Work of Memory: New Directions in the Study of German Society and Culture*, ed. Alon Confino and Peter Fritzsche (Champaign: University of Illinois Press, 2002).

# Acknowledgements

This PhD took place on different fronts. It started in my home base Belgium, when Luc Huyse drew my attention to the way Spain's Civil War past was resurfacing. He became a member of my doctoral guidance committee, and I want to thank him for his accurate advice about the transitional justice field and for feedback during the writing process. A second person crucial for this project was my supervisor Gita Deneckere. I want to thank her for her enthusiasm that even took her to visit me on fieldwork. She meticulously proofread my drafts, and due to her encouragements I kept believing '*sí se puede*.' The third member of my doctoral guidance committee to whom I am very grateful is Berber Bevernage, who has been crucial for this dissertation from before it started, when he coached my master's dissertation. I want to thank him for inspiring me to apply historical theory to socially relevant questions, for our collaborations in writing and teaching, and for proofreading.

During international conferences, I had the privilege to learn from many people from different disciplines. I want to acknowledge especially people who commented on my papers: Elizabeth Anstett, Jean-Marc Dreyfus, Jon Shute, Pamela Colombo, Sévane Garibian, Maria Theresia Starzmann, John Roby, Joost Fontein, Jo Labanyi, Wulf Kansteiner, Andreas Huyssen, Chris Lorenz, Michael Humphrey, and Estela Valverde.

Closer to home, I am grateful to Ghent University and the Research Foundation Flanders (FWO) for giving me the opportunity to do this project. Thanks to the organizers and members of the networks of TAPAS, INTH, and LITRA for the collaborations and discussions. I also want to thank my colleagues in the history department for the pleasant work climate. Special thanks to Fien and Lieselot for their friendship, and a lot of courage to fellow dissertation writers Greet and Carmen. I specifically want to acknowledge Tessa Boeykens, Eva Willems, Gisele Iecker de Almeida, Gillian Mathys, Koen Aerts, and Kenan Van De Mierop for discussing drafts of chapters; Ramses Delafontaine for his work on the bibliography; and Fien Danniau and Eva Willems for their work on the cover.

Regarding the final stages of writing, I thank Els Vermeulen and Thomas Cole for translation work, Juleen Eichinger for proofreading, and Gitte for layout. The contents of this dissertation and any remaining errors in it are, of course, my responsibility.

On the home front I lastly want to thank friends who were involved from the sidelines: Rik, Eefje, Benne, Elizabeth, and cycling buddies Els, Lore, and Nele. Special thanks as well to my parents and sister for their patience and encouragements. If I search for honesty and relevance in every small endeavour, it is because they laid the foundations for a conscious life and for caring for those in need.

The second front was Spain, where I was introduced in the memory field by Francisco Ferrándiz. I want to acknowledge him for his intellectual generosity and for being an example of engaged field research in sometimes turbulent circumstances, and I thank him for his honest advice about fieldwork. In Spain I met colleagues Marije Hristova, Ulrike Capdepon, and Rachel Ceasar, whom I want to thank for their friendship, fruitful discussions, and collaborations on *Memorias en Red*. I especially want to thank Jorge Moreno for our collaboration and for sharing his knowledge of the regional context and visual anthropology, and Jonah Rubin for becoming a real *compañon de route*: thank you for your comments on drafts and for sharing your insights and data, both on long road trips during fieldwork in Spain and in academic discussions.

During fieldwork, I had the honor to work with visual artists Sarah Vanagt and Katrien Vermeire, whom I want to thank for sharing their photos and film. They taught me to look for the past not only in textual but also in material and performative registers, such as gestures, a touch, or the soil. I would like to acknowledge Sarah for her generosity in feedback, her original encouragement, and her example of combining respect with criticism, and creativity with professionalism.

The members and volunteers of the exhumation associations were crucial for this project. Thanks to Emilio Silva and Santiago Macías of the Association for the Recovery of Historic Memory, and Francisco Etxeberría of Aranzadi for inviting me to participate in exhumations and for opening their organization *hasta la cocina*. I especially want to acknowledge Marco González, Nuria Maqueda, René Pacheco, and Alejandro Rodríguez of the exhumation team of the ARMH. Their warm hospitality goes beyond duty. I want to thank them for sharing their time and experience and for their example of courage, commitment, *cariño*, and humour. I wish them the best in the continuity of their projects. I would also like to thank the volunteers I got to know during the exhumations: Raul, François, Ilhia, Toni, Boni, Oscar, Verena, Marina, Juan Pedro, Juan Carlos, David, Jimi, Luis, and Helena; also Juan and Nora, who gave me a warm home in Madrid. Lastly I want to acknowledge all other informants, especially the relatives of victims, for their courage to share their stories. *Gracias compañeros, gracias familia*.

Finally, I want to thank the one person who regularly crossed the fronts of Belgium and Spain. My dearest Lieven, thanks for your endless support and for embracing this project with all your heart.

## Glossary and Abbreviations

11-M	Refers to the 2004 Madrid train bombings (March 11), by al-Qaeda-inspired terrorists, which caused the deaths of almost 200, and injuries for almost 2000, people.
15-M	Refers to the social protest movement that started at the Puerta del Sol in Madrid, from May 15, 2011, on, in the context of the global financial crises and protest movements such as Occupy Wall Street and the Arab Spring; often known as the <i>Indignados</i> .
20-N	Denotes the date of death (November 20) of General Francisco Franco Bahamonde in 1975, dictator of Spain from 1939 to 1975, and of José Antonio Primo de Rivera in 1936, founder of the fascist party the Falange.
AFAFC	<i>Asociación de Familiares y Amigos de la Fosa Común de Oviedo</i> (Association of the Friends of the Grave of Oviedo), founded in 1996 and opposed to the exhumation of mass graves.
afarIIREP	<i>Asociación de Familiares y Amigos de Represaliados de la II República por el franquismo</i> (Association of Relatives and Friends of Victims of the Second Republic Killed by Francoism), founded in 2004.
AGE	<i>Asociación Archivo Guerra y Exilio</i> (Association Archive War and Exile), founded in 1997 and opposed to the exhumation of mass graves.
Aranzadi	Society of Sciences and Interdisciplinary Centre for Study and Investigation, founded in 1947, with a department of physical anthropology that exhumes mass graves of the Spanish Civil War (1936–1939) and post-war repression.
ARMH	<i>Asociación para la Recuperación de la Memoria Histórica</i> (Association for the Recovery of Historic Memory), founded in 2000 to help families to exhume the remains of family members killed in the Spanish Civil War (1936–1939) and post-war Francoist repression.
<i>Cara al sol</i>	Face to the Sun, Falangist hymn.

<i>Casa del Pueblo</i>	House of the People, a local meeting place and/or branch office of the socialist PSOE and trade union or the CNT, an anarcho-syndicalist union confederation.
<i>Caudillo</i>	The Leader, similar to Der Führer or Il Duce.
<i>Causa General</i>	General Cause, collective lawsuit brought by the Franco state in early 1940 against wartime actions carried out in the Republican Zone.
CSIC	<i>Consejo Superior de Investigaciones Científicas</i> (Higher Scientific Research Council), founded in 1939 to further Francoist cultural policy.
ETA	<i>Euskadi Ta Askatasuna</i> (Basque Homeland and Freedom), radical armed nationalist movement of the Basque Country, particularly active since the late 1960s.
EU	European Union.
Falange	Falange (Española de las JONS), Spanish fascist party supporting Franco, founded in 1933 by José Antonio Primo de Rivera, son of former military dictator from 1923 to 1930. Basis of Franco's single state party FET-JONS, often known as the <i>Movimiento</i> .
Foro	Author's abbreviation for <i>Federación Estatal de Foros por la Memoria</i> (State Federation of Forums for Memory), founded in 2002 and closely related to the Spanish communist party (PCE).
GRAPO	<i>Grupos de Resistencia Antifascista Primero de Octubre</i> (First of October Anti-Fascist Resistance Groups), Spanish radical left armed movement, particularly active during the transition to democracy.
<i>Guardia Civil</i>	Civil Guard, a Spanish military public security force still linked in the imagination of the political Left to Franco's repressive practices.
<i>Indignados</i>	Social protest movement that started at the Puerta del Sol in Madrid, from May 15, 2011, on, in the context of the global financial crises and protest movements such as Occupy Wall Street and the Arab Spring; often known as the 15-M Movement.
IU	<i>Izquierda Unida</i> (United Left), a coalition of leftist groups, including the PCE, formed in 1986.
<i>Maquis</i>	Resistance fighters; the Spanish guerrillas fighting Francoist security forces formed part of the war of resistance against the Nazis and their collaborators in Europe (1940–1945).
<i>Monte, el</i>	Literally 'Mountain' or 'hill,' but also 'the wild country around the villages'; ' <i>Los del monte</i> ' is the phrase used in central Spain to refer to the ones who have fled into the hills, which could be Francoists

	hiding from Republican reprisals (1931–1936) or anti-Francoist resistance fighters hiding from the Francoist regime (after 1939).
NGO	Non-governmental organization.
PCE	<i>Partido Comunista de España</i> (Communist Party of Spain), the official Spanish communist party, founded in 1921 and affiliated to the Comintern or Communist International.
Podemos	‘We can,’ a civic movement and political party, founded in 2014 by Pablo Iglesias and others, sprung from social movements such as the <i>indignados</i> .
PP	<i>Partido Popular</i> , conservative People’s Party, founded in 1989 and based on <i>Alianza Popular</i> , a party founded in 1976 by former Francoist ministers.
PSOE	<i>Partido Socialista Obrero Español</i> , Spanish socialist party, founded in 1879.
R/republican(s)	The author uses ‘Republican’ and ‘republican’ to differentiate between, respectively, all those supporting the Republic during the Spanish Civil War (1936–1939) and those who were specifically republican in ideology.
<i>Represaliados</i>	Literally ‘the ones victimized,’ or ‘victims of reprisals.’ Word used to refer to the victims of Francoism.
TRC	The South African Truth and Reconciliation Commission, 1996–2003.
UN	United Nations.
<i>Valle de los Caídos</i>	The Valley of the Fallen, a huge mausoleum built by Franco to pay homage to the Nationalist soldiers who died in the Civil War (1936–1939); Franco and Primo de Rivera, founder of the Falange, are buried there.
<i>Vencidos</i>	‘The defeated,’ term to refer to persons belonging to the Republican side of the Spanish Civil War (1936–1939).



# Illustrations

Photographs are taken by the author unless indicated otherwise.

Figure 1	The excavated mass grave of Chillón, at dusk, when visitors descended to listen to the archaeologist's explanation and take pictures (photo by Katrien Vermeire and Sarah Vanagt).	1
Figure 2	The 'Map of Mass graves' of the Spanish government, displaying more than 2,000 mass graves all over the country (Gobierno de España, <a href="http://www.memoriahistorica.gob.es/MapaFosas/">http://www.memoriahistorica.gob.es/MapaFosas/</a> ).	132
Figure 3	Hilda Farfante (1931), daughter of two republican teachers executed by Francoist militia, crying out her famous ' <i>grito</i> ,' during a <i>Ronda de la Dignidad</i> , Madrid, June 2, 2011.	132
Figure 4	First <i>Ronda de la Dignidad</i> , with dozens of activists and victims' relatives walking around Puerta del Sol with portraits of the victims, May 20, 2011.	133
Figure 5	First anniversary of the <i>Rondas de la Dignidad</i> , with protests against a new, revisionist, definition of Francoism by a renowned academic institution. June 2, 2011.	133
Figure 6	The 'life-size' photo of the exposed mass grave of La Andaya, that the ARMH and Aranzadi display during protests and exhibitions. Here on a street protest in Brussels (May 7, 2013) (Photo by Óscar Rodríguez).	133
Figure 7	ARMH core team members Alejandro Rodríguez and Nuria Maqueda during the four-day long search for the mass grave in Oropesa, November 5, 2010.	134
Figure 8	ARMH archaeologist René Pacheco attending the interest of locals of Las Ventas de San Julián in objects of the Oropesa exhumation, March 19, 2011.	134
Figure 9	Aranzadi volunteer and biologist Jacob making a technical drawing of the mass grave, La Mazorra, May 6, 2011.	135
Figure 10	Social anthropologist and filmmaker Jorge Moreno and me conducting a video-interview with Agustín during the exhumation in the Puebla de don Rodrigo cemetery, May 30, 2011.	135
Figure 11	The García family expressing disagreement with the exhumation during the town meeting in Chillón, October 25, 2011 (Photo by Sarah Vanagt and Katrien Vermeire).	136



Figure 12	Ignacio García (victim's son), with the flowers and portrait of 'the Nine of the Contadero' that relatives brought on All Saints' Day Chillón, November 1, 2011.	136
Figure 13	The remains of the ARMH exhumations are gathered individually in cardboard boxes. In the background you see the remnants of the monument at the mass grave site in Chillón.	137
Figure 14	Some objects and remains are gathered in plastic bags, after being wrapped in newspapers against humidity. Photo by Katrien Vermeire and Sarah Vanagt.	137
Figure 15	Amparo and Angela, nieces of one of 'the Nine' victims of Chillón, writing in the guestbook of the exhumation, October, 29, 2011.	138
Figure 16	Daughter and granddaughter of one of 'the Nine of el Contadero,' receiving unidentified remains of one of the victims during the reburial ceremony, Chillón, May 1, 2012.	138
Figure 17	A packed cemetery for the reburial ceremony, Chillón, May 1, 2012 (photo by Óscar Rodríguez).	139
Figure 18	Conversation between me and visitors of the exhumation in the cemetery of Puebla de don Rodrigo, May 26, 2011 (Photo by Óscar Rodríguez).	139
Figure 19	Visitors during the exhumation of Oropesa. On the right, Liberto, son of one of the victims, who visited the site daily. "Do you know, I still can't sleep?" November 9, 2010.	140
Figure 20	Technical drawing of the mass grave of Chillón, included in the archaeological report and showed during the reburial ceremony (Photo by ARMH).	140
Figure 21	Banner at the first anniversary of the <i>Rondas de la Dignidad</i> , reminding of iconography of the <i>desaparecidos</i> in the Southern Cone (June 2, 2011).	140
Figure 22	During the exhumation, the search 'above ground' in archives and through testimony continues. Francisco Ferrándiz with victims' relative, Candeleda, May 18, 2010.	141
Figure 23	Eugenio (third to the right) and his brother in law (second to the right), talking with the ARMH psychologist Ramón (first on the right), social anthropologist Jonah Rubin (left from Eugenio), and villagers. Puebla de don Rodrigo, May 28, 2011.	141
Figure 24	Street in Puebla de don Rodrigo named after a Nationalist general of the Civil War, May 29, 2011.	141
Figure 25	Valley of the Fallen, the Francoist mausoleum to honour the 'fallen for God and Spain,' September 6, 2009.	142
Figure 26	Pedro, who had been made to transport the bodies of the five killed <i>maquis</i> to the cemetery in Puebla de don Rodrigo, May 31, 2011.	142
Figure 27	Daily gatherings of locals and relatives during the ARMH exhumation in Chillón, November 1, 2011.	143
Figure 28	Girls taking pictures of the exhumation in Puebla de don Rodrigo, May 31, 2011.	143
Figure 29	Valentín García, trying to rectify the version of history held by these two young <i>Chilloneros</i> . "Algo habrán hecho" (they must have done	

	something), the children said, while Valentín argued that his father had done nothing wrong except defended his ideas, November 6, 2011.	144
Figure 30	ARMH archaeologist René Pacheco and volunteers Elena and Juan explaining the exhumation process to children of Puebla de don Rodrigo, June 1, 2011.	144
Figure 31	Expert practitioner re-assembling the skeleton of an individually buried victim, El Cesterín, in situ, while explaining his analysis to the relatives who came from Argentina for the exhumation (Photo by Óscar Rodríguez).	145
Figure 32	Forensic anthropology as a science of ‘sight:’ Aranzadi volunteers and the relative José trying to get an overview photo of the mass grave, La Mazorra, May 6, 2011.	145
Figure 33	Re-enactment of the killings, performed by the exhumation volunteers after excavating the mass grave (Photo of ARMH and Aranzadi, of the exhibition ‘Exhuming Mass Graves, Recovering Dignity’).	146
Figure 34	Picture of a child taking a look at an exhumation that circulated on social media with the word ‘conscience’ on it; it reflects the believe that seeing a mass grave enhances a historical consciousness (Photographer unknown).	146
Figure 35	Descendant of one of ‘the Nine’ in Chillón, wearing the ring of his great uncle during the exhumation, El Contadero, November 30, 2011.	147
Figure 36	Felipa and Nuria Martín, and Laura, victims’ relatives, proudly carrying a box with the remains of one of ‘the Nine of the Contadero’ in the procession to the cemetery for reburial, May 1, 2012.	147
Figure 37	When the exhumation was finished, some relatives in Chillón decided to bury photos of ‘the Nine of the Contadero’ and the flowers they had brought on All Saints’ Day, November 2011 (Photo by Katrien Vermeire and Sarah Vanagt).	148
Figure 38	The inauguration of the monument to ‘the Nine of the Contadero,’ 1988 (Photo from Jerónimo Mansilla Escudero and Luis Miguel Montes Oviedo, <i>El crimen de El Contadero: Los nueve asesinados de Chillón (3 de junio de 1939)</i> (Chillón: Jerónimo Mansilla Escudero, 2009).	148
Figure 39	ARMH volunteers Fernan, Juan, and Guillaume dismantling the monument for ‘the Nine’ in Chillón, in order to continue the exhumation, October 26, 2011.	149
Figure 40	Many relatives bring photos of their missing to the exhumation team during an exhumation, which adds both new information, and a ‘human face’ to the skeletons. Puebla de don Rodrigo, May 7, 2011.	149
Figure 41	This photo on the wall of the ARMH laboratory illustrates how the volunteers do their work <i>de corazón</i> (with their hearts) (Photo by Alejandro Rodríguez).	150
Figure 42	Valentín García and his wife, bringing flowers to the mass grave site at All Saints’ day; The García’s became closely involved in the exhumation, November 1, 2011.	150
Figure 43	Ignacio García, who climed down in the grave at El Contadero assisted by his grandson to watch the bones up close: “you need to be worthy,	

	to do this kind of work; thank you very very much.” November 6, 2011.	150
Figure 44	ARMH Volunteers Elena and Juan Pedro in Puebla de don Rodrigo, wearing T-shirts in the Republican tricolor and with the inscription “we are the grandchildren, we are peace,” May 31, 2011.	151
Figure 45	Laura (victim’s relative), touching the bones when listening to the explanations of ARMH archaeologist René Pacheco, Chillón, November 1, 2011.	151
Figure 46	Alejandro Rodríguez, historian and ARMH volunteer, searching a mass grave with a metal detector, November 5, 2010. His detector looks like a gun, a similarity reinforced by his T-shirt that says “ <i>siempre guerrilleros, nunca bandoleros</i> ” (always guerrillas, never bandits). Alejandro contends that the violence of the anti-Francoist guerrilla was legitimate, an opinion that brushes against the ‘new human rights discourse’ to which some of his <i>compañeros</i> adhere.	253

# Contents

<b>Chapter 1</b>	<b>Introduction: History from the Spanish graves?</b>	<b>1</b>
1.1	Memory politics in Spain	3
1.1.1	“The war before the lights went out”	4
1.1.2	‘Victors’ and ‘vanquished’ under Franco	8
1.1.3	Spain’s ‘model’ transition and the ‘pact of forgetting’	11
1.2	The breakdown of the Spanish model in transitional justice	15
1.2.1	The Republican memory movement	15
1.2.2	The ‘mass grave phenomenon’	18
1.3	Research question: History from the grave?	24
1.3.1	Mass graves and historical theory	24
1.3.2	Memory frictions: The local, national, and global <i>a pie de fosa</i>	28
1.4	Outline of the book	33
1.4.1	The forensic turn in memory	33
1.4.2	Memory politics beyond the forensic turn	36
<b>Chapter 2</b>	<b>Method and cases: An ‘embedded historian’ in the Spanish exhumations</b>	<b>43</b>
2.1	Introduction	43
2.2	Engaged history	45
2.3	The practical past: Adding an ethnographic approach to historical theory	48
2.4	From pit to pit with the ARMH: Multi-sited ethnographic research	52
2.4.1	Practical and epistemological questions	52
2.4.2	Embedded ‘ <i>hasta la cocina</i> ’: Relations in the field	58
2.5	Research periods and cases	64
2.5.1	Research periods	64
2.5.2	Field sites and cases	66
2.6	Sources: Multiple data collection techniques	94
2.6.1	Interviews	94
2.6.2	Participant observation and fieldnotes	99
2.6.3	Literature, documents, and additional sources	101
2.6.4	Photo and film	102
2.6.5	Public history: reciprocity and ethnographic opportunity	102
2.7	Conclusion: An ‘ethnography-scape’ without closure	103

<b>Chapter 3</b>	<b>Truth: Spain's inscription in the international forensic turn .....</b>	<b>107</b>
3.1	Introduction .....	107
3.2	The international 'forensic turn' in memory .....	111
3.3	The forensic turn in Spain.....	114
3.3.1	The inscription of Spain in the forensic turn .....	114
3.3.2	The historical contribution of forensic truth in Spain .....	119
3.4	'Forensic frictions' .....	122
3.5	Overcoming political contestation .....	126
3.6	Conclusion: Politics of memory beyond forensic truth .....	130
<b>Chapter 4</b>	<b>Acknowledgement: Mobile seminars in public history.....</b>	<b>153</b>
4.1	Introduction .....	153
4.1.1	The "procedural articulation of the known" .....	153
4.1.2	History beyond the grave.....	157
4.1.3	From knowledge to acknowledgement.....	161
4.2	The 'pact of forgetting' as a privatization of Republican memory .....	163
4.2.1	1936: Exposed death.....	165
4.2.2	1939: Private memory .....	173
4.2.3	1977: Privatization of Republican memory secured .....	181
4.3	Exhumations as mobile seminars in public history .....	184
4.3.1	Public and discursive spaces.....	185
4.3.2	Pedagogy.....	190
4.3.3	Connecting the local, the national, and the international.....	194
4.3.4	Reconfiguring space through the dead.....	196
4.3.5	From <i>lieu</i> to <i>milieu de mémoire</i> .....	202
4.4	"No basta con desenterrarlas:" Politics of acknowledgement .....	209
4.5	Conclusion: "The tip of the iceberg" .....	223
<b>Chapter 5</b>	<b>Time: Breaking the foundational time of the Spanish transition .....</b>	<b>227</b>
5.1	Introduction: Conflicting historicities .....	227
5.1.1	"Ya pasó:" The transition's regime of historicity .....	228
5.1.2	"Asunto pendiente:" The TTC time of transitional justice .....	229
5.1.3	Politics of time .....	232
5.2	TTC time contested .....	234
5.2.1	Trauma or useful reminder?.....	234
5.2.2	Redemption or regeneration? .....	237
5.3	Disseminating TTC time.....	239
5.3.1	Exhumations and reburials as master metaphors for trauma, therapy, and closure .....	239
5.3.2	Appropriation of the dead through affective familial bonds .....	242
5.3.3	Exhumations as mobile seminars .....	246
5.4	Conclusion: Second transition or third Republic? .....	248
<b>Chapter 6</b>	<b>Conclusion: Breaking the transition's representation of the past? .....</b>	<b>253</b>
6.1	History beyond the grave .....	254
6.2	Politics of memory in forensic exhumations .....	256

6.3	A new representation of the Civil War past? .....	259
6.3.1	Depoliticization of memory in the transition .....	260
6.3.2	Representation and representatives in the exhumations.....	263
6.3.3	Conclusion: What history comes from the Spanish graves? .....	269
<b>Bibliography .....</b>		<b>285</b>
<b>Websites and Internet sources.....</b>		<b>295</b>
<b>Audiovisual materials .....</b>		<b>301</b>
	Films .....	301
	Online videos.....	301
<b>Unpublished sources .....</b>		<b>303</b>
<b>Appendices .....</b>		<b>307</b>



## Chapter 1 Introduction: History from the Spanish graves?



Figure 1 The excavated mass grave of Chillón, at dusk, when visitors descended to listen to the archaeologist's explanation and take pictures (photo by Katrien Vermeire and Sarah Vanagt).



*“Grito (I cry out) in the first place for my parents, for their unjust, terrible and cowardly death. Grito for their fear, for their pain, for their interrupted youth, for the life they never lived. Y grito (and I cry out) for ourselves, who were left here without them, ... and at the mercy of their murderers, who spent forty years insulting them, trampling them, and telling lie after lie about their life, and lie after lie about their death. ... Y grito for the mothers and widows, ... who lived and died with a mouth securely tightened to prevent this cry of us to escape.”*  
(‘El grito de Hilda’)<sup>1</sup>

For many years, Spain has been celebrated for its peaceful and successful transition to democracy after the Civil War (1936–1939) and the forty-year dictatorship of Francisco Franco (1939–1975). Spain’s transition (1975–1978), based on amnesty for political crimes and a so-called ‘pact of forgetting,’ was for a long time conceived as proving the viability of amnesty and amnesia in overcoming violent pasts.<sup>2</sup> Spain was considered “a paradigmatic case of a successful transition to democracy based on the decision to leave aside the most painful memories of the Civil War and of the Francoist repression.”<sup>3</sup> Soon, scholars from the emergent field of transitional justice – a field for interdisciplinary scientific research and policy development that studies “strategies employed by states and international institutions to deal with a legacy of human rights abuses”<sup>4</sup> – were talking about the “Spanish model” of transition.<sup>5</sup>

However, due to the recent memory movement that exhumes the mass graves of the war, the “forget-and-forgive” model of the transition seems to have suddenly broken down.<sup>6</sup> The memory movement claims to ‘recover the historical memory’ of the victims of Francoist repression by literally ‘digging up’ the past. In this they follow an international trend in transitional justice to deploy mass grave exhumations to reveal

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<sup>1</sup> Part from a speech of Hilda Farfante (1931), daughter of republican teachers, executed by Francoist militia: Hilda Farfante, public speech, audio-recording, Puerta del Sol, Madrid, June 2, 2011. (See fig. 3)

<sup>2</sup> See for instance Gregorio Alonso and Diego Muro, “Introduction,” in *The Politics and Memory of Democratic Transition*, ed. Gregorio Alonso and Diego Muro (New York: Routledge, 2010), 1–2; Paloma Aguilar, *Memory and Amnesia: The Role of the Spanish Civil War in the Transition to Democracy* (New York: Berghahn Books, 2002); Madeleine Davis, “Is Spain Recovering its Memory?” *Human Rights Quarterly* 27 (2005): 863–866.

<sup>3</sup> Paloma Aguilar and Clara Ramírez-Barat, “Amnesty and Reparations Without Truth or Justice in Spain,” in *Transitional Justice and Memory in Europe (1945–2013)*, ed. Nico Wouters (Cambridge: Intersentia, 2014), s.p.

<sup>4</sup> International Center for Transitional Justice, “What Is Transitional Justice?” Accessed December 15, 2014. <http://ijtj.oxfordjournals.org/>.

<sup>5</sup> Jonah Rubin, “Transitional Justice against the State: Lessons from Spanish Civil Society-Led Forensic Exhumations,” *The International Journal of Transitional Justice* 8 (2014): 102; Gregorio Alonso and Diego Muro, eds., *The Politics and Memory of Democratic Transition: The Spanish Model*. (New York: Routledge, 2010), 1–2.

<sup>6</sup> See Carlos Closa, “Spain,” in *Encyclopedia of Transitional Justice*, ed. Lavinia Stan and Nadya Nedelsky (Cambridge: Cambridge University Press, 2012), 459.

the truth about concealed crimes. Moreover, they are examples in practice of what the theorist in history Ewa Domanska states about the relationship between history and death, namely, that “history begins in the grave.”<sup>7</sup> In this study, I aim to assess the precise impact of the exhumations on Spain’s collective memory: What kind of ‘history’ results from the exhumations of Spanish mass graves?

In this introductory chapter, I explain the research questions of this study and explain how it contributes to the research fields of transitional justice, memory studies, and historical theory. I first give an overview of the rise and fall of the Spanish forget-and-forgive ‘model’ of transition to democracy. In the second part, I discuss how the Spanish Republican memory movement aims to break Spain’s ‘pact of forgetting’ with its exhumation campaign. The third part enters at length into the outline of this dissertation.

## 1.1 Memory politics in Spain

*“Spain is very fragile. One scratches a little in its past and it starts to break.”* Emilio Silva<sup>8</sup>

When Franco died in 1975, the past of the Spanish Civil War that had divided Spain into Republican and Francoist<sup>9</sup> blocks was not (exactly) forgotten but was, on the contrary, very present in the minds of the architects of the transition. After all, for more than forty years it had been part of Francoist memory politics. Indeed, the construction and legitimization of Franco’s dictatorship had been based on the outcome of the war. In 1975, the frightening memory of the Civil War that had been kept alive during the dictatorship led to a new consensus: “Never again.”<sup>10</sup>

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<sup>7</sup> Ewa Domanska, “Toward the archaeontology of the dead body,” *Rethinking History* 9 (2005): 399.

<sup>8</sup> Emilio Silva, Facebook post, August 2010; all quotes from interviews are based on original field data (see Chapter 2 for a discussion of the methodology used). Translations are mine unless indicated otherwise.

<sup>9</sup> The term ‘republican’ is used to refer to republican ideology and the capitalized ‘Republican’ to refer to the coalition that supported the Spanish Second Republic during the Civil War. Although the term ‘Nationals’ or ‘rebels’ was more used during the Civil War to refer to the coalition attacking the Republic, I also use the general term ‘Francoist’ to highlight the continuity between the winning side of the Civil War and the subsequent dictatorship. The fighting factions referred to each other with the terms ‘rojos’ (reds) for Republicans and ‘fascists’ for the Francoists. See Helen Graham, *The Spanish Civil War: A Very Short Introduction* (Oxford: Oxford University Press, 2005).

<sup>10</sup> Aguilar, *Memory and Amnesia*, 268.

### 1.1.1 “The war before the lights went out”<sup>11</sup>

*“I will tear them from under the earth, and if they are dead, I will kill them again.”<sup>12</sup>*

*“Our program is to exterminate a third of the Spanish male population. In this way the country will be cleansed and we shall rid ourselves of the proletariat. Moreover, this is also convenient from the economic viewpoint. We will no longer have unemployment in Spain.”<sup>13</sup>*

Before I go more deeply into the evolutions in Spain’s collective memory of the Civil War, a short outline of this Civil War history itself is indispensable. The Civil War started July 17, 1936, with a military coup. The *Nacionales* (self-defined as ‘Nationals’ because they considered themselves the true Spaniards), led by Franco and his Moroccan-based colonial army, attacked the Spanish Second Republic.

As historian Helen Graham notes, military coups were a historically common practice in Spain, but the Nationals used the practice for a new purpose: halting mass democracy, cultural plurality, and socio-economic changes that occurred in the 1930s in the context of Spain’s Second Republic (1931–1936). With the coup they aimed to create a new order in Spain that brutally crushed conflictive social change.<sup>14</sup> The Civil War was a military conflict over a series of ‘culture wars’: urban, cosmopolitan, secular, liberal, feminist, and peripheral Spain against rural, Manichaean catholic, authoritarian, centralized, and patriarchal Spain.

The first democratically chosen Republican administration of republicans and socialists had designed a utopian program of redistribution of social and economic power in Spain that included agrarian reform, non-religious education, and army reorganization. This program soon met opposition by the conservative elite of Church, landowners of rural Spain (*la España profunda*), and the corporate military. For the next few years the administration swung between coalitions of left- and right-wing parties, and was marked by increasing public protest, strikes, revolutionary violence, and fierce

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<sup>11</sup> Helen Graham, cited in Sebastiaan Faber and James D. Fernández, “The war before the lights went out: An interview with Helen Graham,” *The Volunteer*, March 6, 2010, accessed May 16, 2013, <http://www.albavolunteer.org/2010/03/the-war-before-the-lights-went-out-an-interview-with-helen-graham/>.

<sup>12</sup> Rebel general Gonzalo Queipo de Llano, 1936, cited in Alberto San Juan and Carlos Olalla (actors), public speech, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>13</sup> Franco’s Press Attaché Gonzalo de Aguilera, cited in Michael Richards, *Un tiempo de silencio. La guerra civil y la cultura de la represión en la España de Franco, 1936-1945* (Barcelona: Crítica, 1999), 49–50, cited in Luc Capdevila and Danièle Voldman, *War Dead: Western Societies and the Casualties of War* (Edinburgh: Edinburgh University Press, 2006), 102; and cited in Alberto San Juan and Carlos Olalla, public speech, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>14</sup> Graham, *The Spanish Civil War*, 86.

repression. By 1936, a coalition of the Church, landowners, and military decided to overthrow the Republic, an intent that resulted in a full-scale civil war.

On July 18, the rebellion spread in mainland Spain, dividing the country into a Nationalist zone, where civilian resistance was bloodily repressed, and an imploding Republican zone, where some local communities lived their own revolution, including the abolition of money, the collectivization of the economy, and political violence.

The Spanish Civil War was an experiment in modern total warfare, on both the military and cultural fronts. For the first time, aerial bombing was used to target the entire civilian population of cities such as Guernica, but also Madrid and Barcelona. The Republic employed 'new women' as war workers, used innovative propaganda techniques and aesthetics, and was supported by 'embedded' journalists and photographers such as Robert Capa. A coalition of international anti-fascist fighters, women fighters, and the first American non-segregated army battalion stood against the Nationals who were supported by the emerging European fascist regimes. The future economic, political, and cultural model of Europe was at stake.

From the start, Franco received vast support in the form of airlifts of troops – for the first time in warfare history – as well as military hardware and intelligence from his silent allies Hitler and Mussolini, even when they signed the 'non-intervention' treaty proposed by France and Britain. Non-intervention in fact obstructed the Republic's chances by blocking its bank accounts and stopping the republic from purchasing military equipment on the market, which made them dependent upon limited Soviet aid. Around 35,000 anti-fascists from Europe and North America – amongst them many urban workers who themselves had fled their countries of birth – did join the Republic as International Brigades.<sup>15</sup> The Republic kept resisting in the vain hope that the western democracies would eventually stop appeasing the fascist powers. When Britain and France in 1938 signed the Munich pact that effectively gave Hitler permission to invade Czechoslovakia, it was clear that the balance of power in Europe was in favour of the emerging fascist powers.<sup>16</sup>

The Republic under siege started to disintegrate, geographically and politically. Desperation and exhaustion among its troops, political leaders, and civilians led to an erosion of the republican legitimacy and political divisions – e.g., between Catalan nationalists and centralists, communists and socialists, about whether to give priority to revolution or war – and unlawful detention and killing.<sup>17</sup>

The driving force of the violence of both sides was the annihilation of the other: while the millenarian objective of 'the last great cause' for some Republicans legitimized

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<sup>15</sup> Graham, *The Spanish Civil War*, 42–43.

<sup>16</sup> Ibid., 110–115.

<sup>17</sup> Ibid., 87–114.

killing to achieve *tabula rasa* and create a socialist utopia, Francoists saw killing as part of constructing a new, ‘purified’, unitary, Catholic Spain.<sup>18</sup> Indeed, Franco’s ‘cleansing’ discourse was based on an apocalyptic, Manichaeian Catholicism. It was assumed that Spain could be reborn through the spilling of blood. Republican suffering was seen as a “penitence” on the way to redemption.<sup>19</sup> This can be noted in the fierce nature of the violence. The theatrical nature of anticlerical violence by Republicans did not always target the individual priest but was aimed at delegitimizing the authority of the institution to which the priest belonged. But, while the constitutional framework of the besieged Republic handled unlawful violence as abuse, the rebel camp administered it from above.<sup>20</sup> The dehumanizing violence administered by Francoist power indeed reveals the war aim of the rebellion against the Republic: the complete destruction of ‘Red Spain.’ Franco perceived his war not as a Civil War but as the ‘liberation’ of Spain from an illegitimate regime and an ‘occupation’ of the alien political ideas held by the ‘judeo-marxist-masonic conspiracy.’ Spain needed to be ‘saved’, ‘whatever the cost.’ In his view, he did not inflict violence upon his ‘own people’ but inflicted it upon the other, the *rojos* (the red, a term still used in Spain, both to proudly refer to one’s own socio-political identity or group and to negatively refer to the others).<sup>21</sup>

Even in areas without a front or armed resistance, Franco’s coup and his purging discourse sanctioned a war culture that unleashed a wave of cleansing violence and legitimized a regime of terror that continued long after the conquest and ‘pacification’ of territory.<sup>22</sup> Thousands of urban and rural labourers were killed, but also people who represented cultural change or “had ideas.”

The colonial army that Franco brought from Morocco was known for its brutal repression. Yet most of the killings were done by militias, such as the Falange (a fascist party supporting Franco, founded in 1933 by José Antonio Primo de Rivera). Civilians from the same area or village of the victims were often involved in the killings, which gave the war an intimate and fratricidal character. The extrajudicial killings of unarmed civilians were (and are still today) euphemistically called *paseos* or ‘strolls.’<sup>23</sup> “Rural labourers were killed where they stood, the ‘joke’ being they had got their ‘land reform’

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<sup>18</sup> Ibid., 29.

<sup>19</sup> Aguilar, *Memory and Amnesia*, 76.

<sup>20</sup> Graham, *The Spanish Civil War*, 108.

<sup>21</sup> Graham, *The Spanish Civil War*, 33, 73; Aguilar, *Memory and Amnesia*, 47; Rubin, “Against the State,” 103.

<sup>22</sup> Graham, *The Spanish Civil War*, 28–29; “*Tener ideas*” was a quote that my informants often used to explain why someone had been killed during the Civil War.

<sup>23</sup> Layla Renshaw, *Exhuming Loss: Memory, Materiality and Mass Graves of the Spanish Civil War* (Walnut Creek: Left Coast Press, 2011), 22; Alfredo González-Ruibal, “Absent Bodies: The Fate of the Vanquished in the Spanish Civil War,” in *Bodies in Conflict: Corporeality, Materiality, and Transformation*, ed. Paul Cornish and Nicholas J. Saunders (Abingdon: Routledge, 2013).

at last – in the form of a burial plot.”<sup>24</sup> Around 130,000 Republican civilians were abducted, executed, and left behind in mass graves all over the country.<sup>25</sup> These *fusilados* or *paseados* (those who were shot or those who ‘were taken on a stroll’) would enter the public debate in Spain in 2000 as the *desaparecidos* of the Civil War.

On the first of April 1939, ‘*El Caudillo*’ Franco declared triumphantly that “*la guerra ha terminado*” (the war has ended). The war casualties are estimated at around 350,000 people, of which a very high proportion, around 200,000, were killed behind the lines. It is estimated that 150,000 of these victims were killed by Nationalist forces during the war.<sup>26</sup>

More than 400,000 Spaniards fled into exile.<sup>27</sup> For many republicans, their struggle continued, and many got caught in a new, European, ‘civil war,’ viz., the Second World War. Republicans experienced a thin line between survival and resistance. Some continued their anti-fascist fight as *maquis* in Spain, others as one of the more than 10,000 Spanish resistance fighters in France. Spanish republicans and former International Brigaders fought on the Eastern and African fronts against the German-Italian Axis. Because Franco’s regime refused to recognize the Spanish nationality of the republican refugees in Nazi-occupied France (after all, they were *rojos*, not Spaniards), around 10,000 of them died in Nazi concentration camps. At least half of them died in Mauthausen, a camp that was also built by the Spanish prisoners.<sup>28</sup>

It was a Spanish republican unit that entered Paris first during the liberation in 1944. Spanish exiles hoped that the Allied troops would continue and finish the job of the *guerrilla* in Madrid, but the liberation of Europe stopped at the Pyrenees. (A republican Catalan went to testify about the atrocities committed by the Nazi regime in Mauthausen, but the criminal regime in his own country went unpunished and would even continue until 1975.) The republicans had lost their battle on April 1, 1939, and lost

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<sup>24</sup> Graham, *The Spanish Civil War*, 30-32.

<sup>25</sup> Estimates by historians of the number of victims who were executed and left behind in mass graves varies between 100,000 (Hugh Thomas) and 150,000 (Alberto Reig Tapia and Julián Casanova. According to the investigations of Judge Garzón, the number of cases of disappeared reach 114,266. See Juan José Fernández, “108,000 españoles en la cuneta,” *Interviú*, March 31, 2014; Rubin, “Against the State,” 99; N. Junquera, “Las asociaciones de memoria histórica enviarán el día 22 a Garzón un informe de 130.000 víctimas,” *El País*, September 15, 2008; David Huys, “Stemmen uit het verleden. De doorbraak van de republikeinse herinnering in Spanje,” *Brood & Rozen* 2 (2010).

<sup>26</sup> Michael Richards, “From War Culture to Civil Society: Francoism, Social Change and Memories of the Spanish Civil War,” *History and Memory* 14 (2002): 95-6; Renshaw, *Exhuming Loss*, 22; Michael Humphrey, “Law, Memory and Amnesty in Spain,” *Macquarie Law Journal* 13 (2014): 32; Madeleine Davis, “Is Spain Recovering its Memory? Breaking the Pacto del Olvido,” *Human Rights Quarterly*, 27 (2005): 26; González-Ruibal, “Absent bodies.”

<sup>27</sup> Graham, *The Spanish Civil War*, 115; Richards, “From War Culture to Civil Society,” 96.

<sup>28</sup> Graham, *The Spanish Civil War*, 126-7; Jennifer Sime, “Exhumations: The search for the dead and the resurgence of the uncanny in contemporary Spain,” *Anthropology and Humanism* 38 (2013): 38.

their war in 1945. Until then, the resistance against Franco had continued. But when post-war Europe settled into a rigid Cold War division between the capitalist West and the communist East, it was clear that no one would come to the rescue. A conservative dictatorship that protected the liberal market system against communist reformatations suited Western powers well.<sup>29</sup>

### 1.1.2 'Victors' and 'vanquished' under Franco

In one of the villages in this study, a monument dedicated to nine men killed by Francoist mobs and left in a mass grave read they had "died in defence of freedom." Two relatives of the men, however, commented bitterly that "they did not die for peace and liberty, they did not die fighting. They died in peacetime, when Franco had already won."<sup>30</sup> Indeed, for many Spaniards the violence did not end when Franco declared the end of the war in 1939. Although Franco understood that the war culture had to change in a civilian movement to consolidate his regime, he instituted a 'vigilant' peace. The enemy within had to be colonized, and all remaining republican values had to be eliminated.<sup>31</sup>

The post-war repression was already heralded when in February 1939, clearly aiming for an unconditional surrender of the Republic, Franco issued the 'Law of Political Responsibilities' that paved the way for blanket repression of all kinds of political activities. The law was interpreted retrospectively back to 1934.<sup>32</sup> All those who were labelled as *rojos* – which included urban workers, the rural landless, 'new' women, liberal professionals, etc. – were subjected to exclusion, internal exile, bureaucratic surveillance, and crippling fines for 'political crimes.'

Repression penetrated the privacy of Republican homes.<sup>33</sup> Personal goods were confiscated and given to Francoist neighbours. For work and favours, widows and children depended upon Francoist families that were responsible for the killings. Republican women were forced to resort to the black market and were closely supervised by the *sección femenina* of the Falange.<sup>34</sup>

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<sup>29</sup> Graham, *The Spanish Civil War*, 125-7

<sup>30</sup> Felipa Martín (relative of victim), interview before exhumation, fieldnotes, Chillón, November 22, 2011.

<sup>31</sup> Aguilar, *Memory and Amnesia*, 72, 78.

<sup>32</sup> Graham, *The Spanish Civil War*, 111. Graham estimates that in total, 50% of the population came under trial in the post-war repression; Susana Narotzky and Gavin Smith, "'Being *político*' in Spain: An ethnographic account of memories, silences and public politics," *History and Memory* 14 (2002): 205.

<sup>33</sup> Graham, *The Spanish Civil War*, 136.

<sup>34</sup> *Ibid.*, 134, 167.

Around 50,000 people were victims of Francoist repression after the war.<sup>35</sup> Around 400,000 went through what historians call the “penal universe” of Francoism: prisons, reformatories, camps, and forced labor battalions, in which the military guards referred to themselves as “the army of occupation.”<sup>36</sup> About 190,000 of them died in prisons and concentration camps – the last of which was closed only in 1962.<sup>37</sup> Spain’s isolation in Europe also led to an economic scarcity that disproportionately affected Republican families.<sup>38</sup> Historian Michael Richards writes that 214,000 excess mortalities have been counted for the two first post-war years as a result of hunger, disease, and repression.<sup>39</sup>

It was clear that Francoist Spain would be of a new order. Spain’s reconstruction went together with the creation of an ‘anti-Spain’ of non-citizens. A big part of the population had to be kept suppressed while tens of thousands others were made complicit by means of a machinery of denunciation.<sup>40</sup> With a mixture of an apocalyptic counterreformation, Catholic discourse, and a modern discourse of disease and eugenics, the Francoist regime tried to reconfigure or ‘cleanse’ part of the population that had been ‘infected’ with the ‘Marxist germ.’ The ‘committee for the redemption of prison sentences through work’ assured vast numbers of slave labourers for Franco’s projects such as *Valle de los Caídos* (Valley of the Fallen, his megalomaniac monument to the winning side of the war) and for private enterprises. Children of Republicans were ‘rehabilitated,’ in reformatory institutions or adopted by regime families. Even though the ‘degeneration’ of the reds was considered irreversible, these children had to *expiate* their fathers’ sins.<sup>41</sup> Slowly Franco started an economic modernization of the country, but as Graham relates, “without the accompanying products of ‘modernity’” such as mass democracy. Repression and exploitation of workers played a vital part in the

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<sup>35</sup> Humphrey, “Law, Memory and Amnesty,” 26.

<sup>36</sup> Graham, *The Spanish Civil War*, 129. Figure of Paul Preston, cited in Sime, “The resurgence of the uncanny,” 38. Graham claims that at the peak in the 1940s one of seventeen Spaniards was spending time in prisons or camps.

<sup>37</sup> By the end of the Civil War, 270,000 people were held in the regime’s prisons, sites of torture, political executions, starvation and epidemics. See Richards, “From War Culture to Civil Society,” 96; Carlos Closa, “Spain,” in *Encyclopedia of Transitional Justice*, eds. Lavinia Stan and Nadya Nedelsky (Cambridge: University of Cambridge Press, 2012), 459; Humphrey, “Law, Memory and Amnesty,” 26.

<sup>38</sup> ‘Republican’ and ‘republican’ are used to differ, respectively, between all those supporting the Republic during the Spanish Civil War and those who were specifically republican in ideology. This is why I use the term ‘Republican families,’ even though these families were not homogeneously republican in ideology. The term refers to the fact that the entire family was considered part of the defeated side because some members of the family supported the Republic or fought Francoism for whatever ideological reasons.

<sup>39</sup> Richards, “From War Culture to Civil Society,” 93.

<sup>40</sup> Graham, *The Spanish Civil War*, 85, 135.

<sup>41</sup> Aguilar, *Memory and Amnesia*, 76; Graham, *The Spanish Civil War*, 84, 129–131; Helen Graham, “The Spanish Civil War, 1936–1939: The Return of Republican Memory,” *Science and Society* 68 (2004): 326; Narotzky and Smith, “‘Being político’ in Spain,” 208.



‘national rebirth’ of Spain – with banks, industry, and landowners making big profits – and in its economic boom of the 1960s.<sup>42</sup>

The Civil War itself became an essential part of the nation-building of the new Spain. Franco legitimized the repression for a long time by using people’s fear of the violence of the War and by citing the victory with which he had ‘protected’ Spain. A monolithic official narrative was installed, in which the war was considered a ‘crusade’ or war of liberation against anti-Spain. Franco co-opted the suffering of the Civil War as a symbol of self-sacrifice and as a founding myth for his new, monolithic, purified Spain.<sup>43</sup> He also placed his rule within a conservative narrative of a monolithic Spanish ‘nation’ that went from the Catholic kings who completed the *reconquista* in the fifteenth century to his defeat of the sinful Republic.<sup>44</sup> Inside Spain, history writing was consigned to state, army, or Church functionaries. Due to this ideological use of the past, the Civil War remains a political stumbling-block up until today. Indeed, the Francoist regime managed to modify the memory of the war of three generations: the people who had lived the war, their children, and their grandchildren.

Spaniards were subjected to a Manichaean division into victors and vanquished. The law helped to draw this distinction by creating a truth commission *avant la lettre*: the *Causa General* on ‘the red domination in Spain.’ Its tribunals all over Spain criminalized all left-wing political activities in the past, and laid the foundation for a narrative in which the evil ‘reds’ were responsible for all crimes that had been suffered by good Francoists.<sup>45</sup> No efforts were too great when remembering those ‘who fell for God and Spain.’ The Republican victims were stripped of their status of Spaniards and Catholics and could not be remembered or mourned publicly,<sup>46</sup> but the memory of the *paseados* and the location of their mass graves were mentally mapped by their relatives.

Franco kept on legitimizing his repressive regime with his victory until the 1960s. From then on, socio-economic improvements gave him new legitimacy, while at the same time European tourists flocking to Spain’s beaches required a softer image. The regime therefore slowly tempered the memory of the Civil War, and a reconciliatory tone began to dominate Spain’s official memory of the War. The march on April 1 changed from ‘the Victory Parade’ to ‘the Peace Parade.’ ‘The War of Liberation’ or the ‘Crusade’, associated with the idea of purging Spain, changed to ‘Civil War’ and ‘fratricidal struggle.’ From a heroic war the Civil War had become perceived as a war amongst brothers, a tragedy that had come over Spain and for which both sides were to

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<sup>42</sup> Graham, *The Spanish Civil War*, 115, 132.

<sup>43</sup> Graham, *The Spanish Civil War*, 84–85; Aguilar, *Memory and Amnesia*, 31–48.

<sup>44</sup> Graham, *The Spanish Civil War*, 133.

<sup>45</sup> Graham, *The Spanish Civil War*, 133; Closa, “Spain,” 460; Humphrey, “Law, Memory and Amnesty,” 29.

<sup>46</sup> Aguilar, *Memory and Amnesia*, 77, 90.

blame. The new official narrative pictured an inevitable war between the ‘two demons’ or ‘two Spains,’ which obscured causes of and responsibilities for the war.<sup>47</sup>

Although the Francoist version of the Civil War slowly changed towards collective insanity and fratricide, it was clear that Franco and his allies were not to blame. On the contrary, Francoism was represented as having brought peace, unity, and reconciliation that had saved Spain from an illegitimate and cruel enemy. A sense of original sin and collective guilt prevailed and legitimized the Francoist coup as a protection against insanity, the war as a necessary “baptism of blood,” and the dictatorship as a “purification” of Spain.<sup>48</sup>

Thus, peace and reconciliation slowly slipped into official Francoist discourse on the Civil War. However, the war was never forgotten. Peace was interpreted as a ‘vigilant peace,’ potentially threatened by ‘subversive elements’ and to be protected by Francoism. On the inauguration of the Valley of the Fallen in 1959, Franco still warned of the “devil” that continued to plot “new ruses and disguises.”<sup>49</sup> This kind of caution towards the Civil War as a collective insanity between two Spains survived Franco up until today in a general fear of political conflict. The memory of the Civil War – partly experienced, partly constructed by Francoist propaganda – led to a general climate of political apathy and a pragmatist attitude in Spanish society that valued peace, stability, and material prosperity above any political or ideological conflict. “Only a nation traumatized by war could be so devoted to peace,” historian Paloma Aguilar concludes.<sup>50</sup> In this climate of fear and complicity and a late Francoist discourse on the ‘two Spains,’ the Spanish transition to democracy was formed.

### 1.1.3 Spain’s ‘model’ transition and the ‘pact of forgetting’

*“The transition erased the hard drive of Francoism.”*  
Emilio Silva<sup>51</sup>

When Franco died in 1975, safely in his bed, after almost forty years of dictatorship, the reconciliatory tone gained the upper hand. The Francoist elite could no longer avoid democratic reforms and set up a transition to democracy. This transition was based on

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<sup>47</sup> Aguilar, *Memory and Amnesia*, 29–140, 56–57, 77; Michael Richards, *After the Civil War: Making memory and re-making Spain since 1936* (Cambridge: Cambridge University Press, 2013), 362.

<sup>48</sup> Richards, “From War Culture to Civil Society,” 111–112; Aguilar, *Memory and Amnesia*, 46–47.

<sup>49</sup> Aguilar, *Memory and Amnesia*, 83.

<sup>50</sup> *Ibid.*, 135.

<sup>51</sup> Emilio Silva, cited in interview by Cadena Ser: “Emilio Silva: ‘Ser pariente de un rojo asesinado te podía causar problemas’,” accessed December 16, 2014, [http://cadenaser.com/programa/2013/08/30/audios/1377820244\\_660215.html](http://cadenaser.com/programa/2013/08/30/audios/1377820244_660215.html).

compromises between elites and the moderation of political parties. Spain's ability to reach a consensus, symbolized by the gesture of an *abrazo* (embrace),<sup>52</sup> would go down in history as a model for the rest of the world. Within Spain, the transition became the founding myth of the new Spain.<sup>53</sup>

The Spanish transition is most famous for its decision to leave the divisive past behind. However, the past was not forgotten when democratic Spain was constituted. On the contrary, the memory of the Civil War played an important role in the construction of the new Spanish nation. Fear of the repetition of the Civil War – a fear that Francoist propaganda had kept alive and that is present up until today – was exactly the reason for the forget-and-forgive attitude. For the anti-Francoist factions, this fear was mainly caused by the continuing power of Francoism in economic, political, and military circles (the so-called 'sociological Francoism') and violent extreme-right groups very active during the transition. In the close-knit villages as well, where the communities were divided into victims and beneficiaries of Francoism, people still feared their Francoist neighbours who had not given up socio-economic power after Franco's death. On the Francoist side, fear was activated when, during the transition, re-established democratic institutions such as unions and political parties triggered memories of the Second Republic, which was the regime that had been, according to the Francoist narrative, responsible for the Civil War. All these different concerns led to one consensus: 'never again.'<sup>54</sup>

The architects of the transition decided that the memory of the Civil War should not be turned into a political weapon. The new official narrative reinforced some aspects of the late-Francoist narrative. For if the late-Francoist narrative pictured the war as inevitable and necessary to hold Spain together, the transition architects maintained that the war had been an inevitable conflict between 'the two Spains.' The idea of the war as a collective insanity, for which 'all were to blame', formed the basis of the new consensus to leave the violent past behind.<sup>55</sup> For many this collective guilt must have been a genuine (albeit learned) conviction, while others just feared still-powerful Francoists factions. Franco's previous 'vigilant peace' turned into caution not to rake up the divisive past.

The aim of the founders of the new Spain was to forget "the resentments of the past," wipe "the slate clean for all, ... retaining the lessons of history without stirring up the

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<sup>52</sup> 'El abrazo,' the painting of Juan Genovés, painted in 1976, has become a common symbol to represent the Spanish transition and especially the new gained liberties and amnesty.

<sup>53</sup> Paloma Aguilar and Carsten Humlebaek, "Collective Memory and National Identity in the Spanish Civil War," *History and Memory* 14 (2002).

<sup>54</sup> Aguilar, *Memory and Amnesia*, 34, 266–267; Aguilar & Humlebaek, "Collective Memory," 132.

<sup>55</sup> Aguilar, *Memory and Amnesia*, 70.

past, in order to be able to build a future of democratic peace and harmony together.”<sup>56</sup> The aim was to democratize Spain without provoking the Francoist factions. Therefore the main ingredient of the Spanish transition was the so-called ‘pact of forgetting.’ On the institutional level, the design of the Second Republic was avoided in favour of a unitary, constitutional monarchy with a proportional electoral system. Justice measures were limited to providing some reparations for victims of Francoism (mainly pensions and rehabilitation of public servants; no restitution of confiscated property). There was no role for criminal justice, which meant an absence of accountability and no revision of Francoist political trials. A general amnesty, supposedly intended to cover persons condemned by and persons serving the Francoist dictatorship, was issued with the Amnesty Law of 1977. Regarding memorialization, most Francoist public symbols remained untouched, and in history education Francoism was not critically reviewed. Although not all these measures went uncontested, there seemed to have been an agreement that ‘now was not the time’ to reassess the recent past.<sup>57</sup>

By the time the new constitution was adopted in 1978, the transition of Spain to a modern democracy was celebrated as a success. As Paloma Aguilar sums up:

the ultimate objective, which all parties appeared to pursue, was achieved: the peaceful consolidation of democracy in Spain – something which, until that time, had not been possible. The evil curse that some believed the country to be under was finally broken.

In 1981, Spain held its breath again when on February 23 (23F), Lieutenant Colonel Tejero barged into the Spanish Parliament with a *Guardia Civil* unit. His coup d’état failed, but the whole episode reminded anti-Francoist Spain of the continuing dangers of Francoism, and the whole episode materialized the monarchy as a guarantee of the stability of the new model.<sup>58</sup> By 1986, Spain had become a constitutional monarchy, a democratic welfare state, and part of the European Union.

Spain’s recipe for a transition based on consensus and the forget-and-forgive principle soon served as a model for other countries trying to face their past of dictatorship or civil war, such as Eastern European countries, Argentina, and Chile.<sup>59</sup> Spain’s transition inaugurated what Huntington would later call the “third wave of

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<sup>56</sup> Ibid., 269.

<sup>57</sup> See Closa, “Spain,” 462; Humphrey, “Law, Memory and Amnesty,” 32-35.

<sup>58</sup> Salvador Cardús i Ros, “Politics and the Invention of Memory. For a Sociology of the Transition to Democracy in Spain,” in *Disremembering the Dictatorship: The Politics of Memory in the Spanish Transition to Democracy*, ed. Joan Ramon Resina (Amsterdam: Atlanta, 2000), 26.

<sup>59</sup> Alonso and Muro, “Introduction,” 1-2; Cardús i Ros, “Politics and the Invention of Memory,” 19-20; Davis, “Is Spain Recovering its Memory,” 863-866.

democratization.”<sup>60</sup> Indeed, for a long time, the agreement not to use the past as a political weapon was considered a necessary agreement to build a democratic peace.<sup>61</sup>

The transition period became the founding myth of the new Spain. The transition is still the object of pride in political circles and is the basis for Spain’s legitimacy as a democracy today. It became the subject of a new powerful narrative in which it was pictured as a period of reconciliation. In this narrative, the political changes seemingly sprung spontaneously out of the hat of the late-Francoist elite. In this way many unwanted facts were swept under the carpet, such as the facts that the transition had been carried out with republican parties still illegal, that the ‘pact of forgetting’ was contested by some groups, that there were social protests demanding democratic reforms, and that it was a period with much political violence in the streets.<sup>62</sup> Moreover, the reconciliation discourse had a performative aspect to it because the transition architects not only expressed the hope but also demanded and effected that the divisive past was now *ya pasó* (over and done with). Consensus and stability became core values of Spain’s political culture. Critically engaging with the Francoist past or giving expression to ideological conflicts came to be considered as the ‘reopening’ of ‘closed wounds.’

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<sup>60</sup> Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), cited in Rubin, “Against the State,” 102.

<sup>61</sup> Aguilar, *Memory and Amnesia*, 269.

<sup>62</sup> Political violence during the transition resulted in nearly 600 casualties. According to Mariano Sánchez, *La Transición Sangrienta: Una historia violenta del proceso democrático en España (1975-1983)* (Madrid: Península, 2010), 188 casualties were of state-sponsored political violence: violence directly by police and anti-terrorist groups during repression of protests or in a dirty war against terrorist groups like ETA (‘Basque Homeland and Freedom’) and GRAPO (‘First of October Anti-Fascist Resistance Groups’); and indirect state violence through the deployment of extreme right factions. Around 400 deaths were caused by terrorist groups. Cited in: Patricia Campelo, “La Transición, un cuento de hadas con 591 muertos,” *Público*, January 26, 2013, accessed January 6, 2014, <http://www.publico.es/politica/transicion-cuento-hadas-591-muertos.html>; Also see Patricia Campelo, “El Tribunal Internacional contra el franquismo trató de frenar una transición basada en el olvido,” *Público*, December 2, 2013, accessed January 7, 2015, <http://www.publico.es/politica/tribunal-internacional-franquismo-trato-frenar.html>.

## 1.2 The breakdown of the Spanish model in transitional justice

### 1.2.1 The Republican memory movement

During the last decade and a half, Spain's role as a model in transition to democracy has broken down. In Spain, the Republican memory movement started to question the 'regime of 1978' and has tried to breach the 'pact of forgetting.' This growing social movement strives for the 'recovery of historical memory' and sees the need for a second, 'memorial' transition. Indeed, its proponents argue that the transition failed to come to terms with the legacy of the Civil War and dictatorship because it did not properly remember or acknowledge the crimes of Francoism against Republican families.<sup>63</sup> Numerous organizations therefore lobby for public acknowledgement of the Francoist repression and for reparations for its victims. Furthermore, they demand the revision of history textbooks, annulment of politically motivated court sentences, disclosure of archives, removal of Francoist public symbols (including Franco's tomb), legal proceedings against Francoism, and exhumation of mass graves.

The return of the past in Spain has not gone unnoticed in the growing international field of transitional justice. Scholars in this field have noted how Spain's role in international human rights campaigns has taken a U-turn. Spanish lawyers and NGOs now collaborate with other post-conflict countries such as Argentina to join forces in the fight against impunity.<sup>64</sup> In this field, Spain has turned from an example of the viability of amnesty and amnesia to an example of the dysfunction of the politics of

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<sup>63</sup> See, for instance, Ignacio Fernández de Mata, "The 'logics' of violence and Franco's mass graves: an ethnohistorical approach," *International Journal of the Humanities* 2 (2004): 2528–2529; Emilio Silva and Santiago Macías, *Las fosas de Franco: Los republicanos que el dictador dejó en las cunetas* (Madrid: Temas de Hoy, 2003), 119–126; Joan Villarroya i Font et al., *La repression franquista: mito, olvido y memoria* (Valladolid: Universidad de Valladolid, 2006), 9–10.

<sup>64</sup> For analysis of how transitional justice practices travel from Spain to the Southern Cone and back, see Stephanie R. Golob, "Volver: The Return of/to Transitional Justice Politics in Spain," *Journal of Spanish Cultural Studies* 9 (2008); Stephanie Golob, "Evolution or Revolution? Transitional Justice Culture Across Borders" (working paper, number 3, Instituto de Políticas y Bienes Públicos (IPP), CCHS-CSIC, 2010); Ulrike Capdepón, "La influencia sobre los debates de los Derechos Humanos en el Cono Sur de cara al enfrentamiento con la dictadura franquista" (paper presented at the IV Seminario Internacional Políticas de la Memoria, Buenos Aires, September 29–30, 2011); Humphrey, "Law, Memory and Amnesty," 36–38; Rubin, "Against the State," 106–107.

forgetting. The case is now used as a case in defence of a strategy of working through a painful past to put it to rest.<sup>65</sup>

Internationally, ideas of how to deal best with a painful past have indeed evolved since the time of death of Franco. Since the 1980s, the idea of a need for active confrontation of the past has become a core premise of the then-emergent field of transitional justice. In the global south, new models of transitional justice emerged: Argentina pioneered the fight against impunity by putting the *junta* on trial, South Africa became a model for truth and reconciliation commissions, and the International Criminal Tribunals for Rwanda and the former Yugoslavia put the principle of universal jurisdiction in practice. Today the principles of truth, justice, and reparation are unquestionable rights for practitioners of transitional justice. All over the world, memory movements are claiming those rights and form what has been coined a “memory boom.”<sup>66</sup> The Spanish memory movement compares Spain to “third world countries if it comes to human rights” and charges that neglecting the rights of the victims of Francoism “is not of the twenty-first century.”<sup>67</sup> Scholars such as the anthropologist Jonah Rubin note how the Spanish state is not ‘up to date’ with international trends: “by the turn of the millennium, the Spanish model of democratic transition, with its emphasis on amnesty for and public silence about past crimes, appeared anachronistic.”<sup>68</sup>

Many transitional justice scholars and practitioners adhere to a quasi-psychoanalytical framework of trauma theory in which it is believed that a painful past is a “collective trauma” that will inevitably return to haunt the present if not properly worked through.<sup>69</sup> According to this new vision on how to work through a painful past, the Spanish memory movement proves that one can perhaps conceal a traumatic past but cannot erase it. Spain is used as evidence of the necessity and naturalness of transitional justice practices such

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<sup>65</sup> Scholars like Madeleine Davis argue that the rupture of the Spanish ‘pact of forgetting’ undermines the model of the Spanish consensus based transition and that it reveals “that a society cannot indefinitely avoid coming face to face with past trauma. See Madeleine Davis, “Is Spain Recovering its Memory? Breaking the Pacto del Olvido,” *Human Rights Quarterly* 27 (2005): 880.

<sup>66</sup> Jay Winter, for instance, links the international “memory boom” with democratization in Eastern Europe, South Africa, and Latin America, as the revision of official memory was deemed a necessary step toward reconciliation and democratic consolidation. See Jay Winter, “The Generation of Memory: Reflections on the ‘Memory Boom’ in Contemporary Historical Studies,” *Archives & Social Studies: A Journal of Interdisciplinary Research* 1 (2007).

<sup>67</sup> For instance Carlos Agüero (philosophy researcher and ARMH volunteer), meeting in ARMH Madrid office, fieldnotes, Madrid, October 27, 2010.

<sup>68</sup> Rubin, “Against the State,” 105.

<sup>69</sup> Michael Richards describe this trend in Spain and other parts of Europe and the world, influenced by mass media, global judicial agencies and Holocaust and Literary Studies, to “assume that the natural and inherent legacy of brutal collective experiences will be collective trauma” and to therefore call for ‘catharsis’ in Richards, *After the Civil War*, 362-363.

as exhumations and of the inevitable return of the past if those measures are not taken. Observers such as journalist Giles Tremlett, in his popular book “Ghosts of Spain,”<sup>70</sup> use metaphors of ghosts and haunting to describe how facts that happened more than seventy years ago inevitably resurface. As Aguilar and Clara Ramírez state: “decisions to sidestep history tend to be revised, and memory irruptions are inevitable with the passage of time.”<sup>71</sup>

Spain is not the first country to exhume its mass graves in an effort to ‘work through’ a painful past. Since the 1980s, forensic mass grave investigations form part of the tool box of transitional justice worldwide. Focussing on this relatively new but rapidly expanding memory practice can enrich the field of transitional justice. Moreover, since this field is dominated by the discipline of law and focusses on legal reformations to transform society, the study of an extra-legal mechanism such as the Spanish exhumations – which, as I will explain in the next section, are non-judicial – can offer a fresh perspective.<sup>72</sup>

Because of the model function of the Spanish transition, transitional justice scholars have for a long time not problematized the way Spain deals with remnants of its violent past. I am convinced, however, that Spain should be brought to the attention of the field of transitional justice. The country is not a clear-cut case of transition but, rather, is going through a situation of “post-transition” or “second transition.”<sup>73</sup> It is also often pictured as being ‘not ready yet’ to face its past. However, the sinking status of the Spanish model of dealing with its past, and the vibrant internal debate in Spain among various groups that question the transition’s model and aim for a different transition, makes it an interesting case to study how models of transitional justice are (re)negotiated, evolve over time, and are contested within societies. Rather than a clear one-size-fits-all model, countries that are going through a process of revising or even

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<sup>70</sup> Giles Tremlett, *Ghosts of Spain* (London: Faber & Faber, 2012).

<sup>71</sup> Aguilar and Ramírez-Barat, “Amnesty and Reparations,” s.p.

<sup>72</sup> Transitional justice, with its original focus on human rights accountability, is indeed rooted in the discipline of law, and legal thinking remains the core of the field. Scholars like Kieran McEvoy have argued that the “narrow, legalistic lens” of the field “impedes both scholarship and praxis.” See Kieran McEvoy, “Letting Go of Legalism,” in *Transitional Justice from Below: Grassroots Activism and the Struggle for Change*, eds. Kieran McEvoy and Lorna McGregor (Oxford, Hart Publishing, 2008), 16, cited in Lieselotte Viaene, “Voices from the shadows. The Role of Cultural Contexts in Transitional Justice Processes. Maya Q’eqchi’ Perspectives from Post-Conflict Guatemala” (PhD diss., Ghent University, 2011).

<sup>73</sup> Terms of Paloma Aguilar and Cecilia Macón, who respectively apply them to the Spanish and Argentinean case. In cases of post-transition, according to them, a longer historical perspective is needed to understand how a second transition can reconsider and are not limited to agreements reached during the period of democratisation. See Paloma Aguilar, “Transitional or Post-transitional Justice? Recent Developments in the Spanish Case,” *South European Society and Politics* 13 (2008); Cecilia Macón, “Argentina, 1985-2004: Politics, Agency and Memory,” (paper presented at the ESSHC, Glasgow, April 10-14, 2012).



failing processes of transitional justice reveal the different political outcomes of conflicting memory strategies.

Moreover, the temporality of the Spanish case ensures that the debate about transitional justice is layered by old and new actors, both national and international, which brings a revision of old and an appearance of new memory struggles to the fore. Indeed, the past that is being confronted is a war of more than seventy years ago, the transition that is being revised dates to more than thirty years ago, and the current context in which the memory movement operates is a context with new international norms and trends about how to deal with the past. The mass graves that the memory movement exhumes have already been the subject of a long history of interaction with perpetrators, villagers, victims' relatives, state officials, and others. If we take seriously the different perspectives of all those historical actors, we can find new and diverse perspectives on how a society deals with a violent past. The movement takes place in a context where new ideas about transitional justice mix with older ideas of the republican fight against fascism, seventy years after the Civil War but with a presence for many Spaniards as if it happened yesterday.

On top of that, as I will explain in the methodological chapter, this study was carried out at a time when debates in Spain about how to relate to the Spanish transition were at their peak. The revision of the Spanish transition is since 2008 also combined with a crisis in Spain on different fronts: first financial, but soon economic and social as well, and by 2014 including political and institutional. After fourteen years of memory movement, the turn to the past is now combined with a renewed discussion of where Spain is headed in the future.

### 1.2.2 The 'mass grave phenomenon'

Spain's memory movement has only recently gained attention from the interdisciplinary field of memory studies.<sup>74</sup> On the one hand, many scholars stress the appalling absence of a unified, collective memory in post-transition Spain about the Civil War past. Anthropologist Layla Renshaw, for instance, pointed to the "intergenerational breakdown" of the memory of the defeated in Spain. Since many authors point to the passing of generations as a reason for the upsurge of memory in Spain, Renshaw applies Marianne Hirsch's concept 'post-memory' to the memory of the Spanish Civil War,<sup>75</sup> a term applied to the form of memory of children of Holocaust

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<sup>74</sup> Ranaan Rein, "Introduction: A Political Funeral," *History & Memory* 14 (2002): 11.

<sup>75</sup> See Marianne Hirsch, "Past lives: Postmemories in exile," *Poetics Today* 17 (1996).

survivors who have no firsthand memory of all things lost but whose lives are “nevertheless saturated by an awareness of that loss.”<sup>76</sup> On the other hand, scholars such as the historian Santos Juliá argue that the transition did not impose silence on historians.<sup>77</sup> He points out that long before the memory movement, historians already broke with the ‘pact of forgetting,’ with a vast amount of scholarly and popular historiography on the Civil War. He defended a clear division between ‘history’ and ‘memory,’<sup>78</sup> but his writings have been heavily criticized by defendants of Spain’s memory movement.<sup>79</sup>

Despite Juliá’s attempt to nuance the impact of the new social movement on Spain’s memory politics, most academic and journalistic observers note a true ‘memory boom’ in Spain from 2000 on. Scholars such as Renshaw hold that scholarly historical work did not have a broad impact on Spanish public opinion.<sup>80</sup> Moreover, they seem to agree that the activity of the memory movement that has impacted Spain’s collective memory in the most profound way is the exhumation of the mass graves of the Civil War and Francoist repression.<sup>81</sup> For that reason, the recent turn in Spain’s memory politics has been called “the mass grave phenomenon.”<sup>82</sup> The dominant narrative in accounts about the memory movement reads as follows: Republican memory did not ‘explode’ until ‘the start of the new millennium,’ when a generation that had ‘overcome fear’ mobilized to finally breach the pact of forgetting and reveal the long silenced history of the defeated side of the Civil War.<sup>83</sup> The memory movement is indeed spearheaded by exhumation

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<sup>76</sup> Renshaw, *Exhuming Loss*, 28–29, 32.

<sup>77</sup> Santos Juliá, “El Franquismo: Historia y Memoria,” *Claves de razón práctica* 159 (2006): 10; Also see Caroline C.P. Boyd, “The Politics of History and Memory in Democratic Spain,” *The Annals of the American Academy of Political and Social Science* 617 (2008): 135.

<sup>78</sup> Juliá, “El Franquismo”; Santos Juliá, “De nuestras memorias y de nuestras miserias,” *Hispania Nova* 7 (2007).

<sup>79</sup> See, for instance Francisco Espinosa Maestre, “De saturaciones y olvidos,” *Hispania Nova* 7 (2007), which straightforwardly questions the argument of Juliá that the transition did not impose a ‘pact of silence.’

<sup>80</sup> Renshaw, *Exhuming Loss*, 26.

<sup>81</sup> See, for instance, Aguilar and Ramírez-Barat, “Amnesty and Reparations,” s.p.

<sup>82</sup> Fernández de Mata, “The ‘logics’ of violence,” 2527. This does not mean that other arenas where Spain’s collective memory is shaped are neglected. In the same decade since 2000, Spanish and foreign scholars have studied several concrete aspects of Spain’s collective memory of the Civil War past, such as testimony in literature and film, archival policy, and the memory of the post-war generation (see, for instance, Jo Labanyi, “Memory and Modernity in Democratic Spain: The Difficulty of Coming to Terms with the Spanish Civil War,” *Poetics Today* 28 (2007); Gina Herrmann, “Mass Graves on Spanish TV: A Tale of Two Documentaries,” and Samuel Amago, “Speaking for the Dead: History, Narrative, and the Ghostly in Javier Cercas’s War Novels,” in *Unearthing Franco’s Legacy*, eds. Carlos Jerez-Farrán and Samuel Amago (Notre Dame: University of Notre Dame Press, 2010); Antonio González Quintana, “La política archivística del gobierno español y la ausencia de gestión del pasado desde el comienzo de la transición,” *Hispania Nova* 7 (2007); Angela Cenarro, “Memories of Repression and Resistance: Narratives of Children Institutionalized by Auxilio Social in Postwar Spain,” *History and Memory* 20 (2008).

<sup>83</sup> See, for instance, Graham, “The Return of Republican Memory,” 325.

organizations, and over the last fourteen years, the exhumation campaign has come to stand for the memory movement as a whole.

The protagonist of the story is Emilio Silva, representative of the ‘generation of grandchildren’ and initiator of the current exhumation campaign.<sup>84</sup> Anthropologist Jonah Rubin, for instance, pictures it as follows:

By 2000, the ‘pact of oblivion’ remained, at least nominally, intact. So when a young journalist named Emilio Silva successfully located the remains of his deceased grandfather and [...] led a public exhumation, shockwaves rippled throughout Spain.<sup>85</sup>

In 2000, this Madrid based journalist/sociologist gathered a team of forensic anthropologists and other professionals to exhume the body of his grandfather and twelve other victims in his hometown Priaranza del Bierzo in the northern province of León. His grandfather was a republican civilian, killed by Francoist forces in 1936. Before the exhumation, Silva wrote an article in a regional newspaper titled “My grandfather as well was a *desaparecido*.” With these words he placed the theme of the enforced disappearances from the Civil War and dictatorship on the agenda of Spain’s civil society.<sup>86</sup> These events are generally regarded as the founding moment of the rapidly expanding exhumation movement.<sup>87</sup>

Since 2000, several associations have exhumed around 6,500 bodies in about 300 graves. They claim to continue to search for 108,000 more persons in mass graves all over the country.<sup>88</sup> The mass graves vary in size. Many villages have graves of about a dozen victims. In some cases, victims are buried individually, while in some regions, especially Andalusia, mass graves contain up to 3,000 bodies of different killings at the same spot. These victims were mainly Republican civilians executed by Francoist forces in extrajudicial killings outside the battle zone, during and after the Civil War. They

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<sup>84</sup> Silva himself sees the coming of a new generation, that played no role in the war, dictatorship, or transition, as a reason for the emergence of the exhumation campaign. See Emilio Silva, “La tierra ya no duerme,” in *La memoria de la tierra: exhumaciones de asesinados por la represión franquista*, ed. Clemente Bernad and Eloy Alonso (Madrid: Tébar, 2008), 14.

<sup>85</sup> Rubin, “Against the State,” 105.

<sup>86</sup> Emilio Silva, “Mi Abuelo También Fue Un Desaparecido,” *La Crónica de León*, October 8, 2000, accessed December 15, 2014, <http://www.emiliosilva.org/hace-diez-anos-al-pie-de-una-cuneta/>.

<sup>87</sup> It needs to be reminded however that there were earlier exhumation campaigns. In 1939 Franco ordered that all nationalist victims be exhumed and reburied: see Francisco Ferrándiz, “Guerras sin fin: guía para descifrar el Valle de los Caídos en la España contemporánea,” *Política y Sociedad* 48 (2011). Just after the transition in the late 1970s there were local exhumation campaigns in some regions, but they remained largely under the radar of media and controversy.

<sup>88</sup> Juan José Fernández, “108.000 españoles en la cuneta,” *Interviú*, March 31, 2014.

were left behind in clandestine mass graves in *cunetas* (ditches) at roadsides, in open fields, or at the sides of cemeteries.

This grass-roots movement gradually gained attention from national and international media and human-rights organizations and academics worldwide.<sup>89</sup> In 2002, the Spanish parliament condemned Franco's 1936 military uprising; and in 2006, the European Parliament condemned the Franco dictatorship. This process culminated in the so-called 'Law of Historic Memory,' adopted in 2007, which stipulates, among other things, that the state should facilitate the exhumations.<sup>90</sup> Subsequently, the government created an 'Office of Victims of the Civil War and Dictatorship' and, in 2011, a website on 'historic memory' with a 'map of mass graves' that displays more than 2,000 mass graves all over the country (see figure 2).<sup>91</sup> Regional governments as well took a range of diverse initiatives to support the exhumations.<sup>92</sup>

The 'Law on Historic Memory' only provided a "system of subcontract" with subsidies to memory associations. Until today, the exhumations occur outside of a judicial framework. State support has been very limited, and in September 2012 was even cancelled completely by the governing conservative Popular Party. The Spanish exhumations movement has been coined "transitional justice against the state"<sup>93</sup> and is indeed led bottom-up, by non-governmental organizations (NGOs). The associations form a real social movement and work primarily with volunteers, which means that there are many exhumations with only one or a few professional forensic archaeologists or anthropologists. Most of the associations are led by a handful of volunteers and have no office or official structure. Generally they work with little means. In general, the movement faces opposition from large segments of the public who consider the exhumations ideologically motivated and violating the transition's reconciliatory spirit.

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<sup>89</sup> On the use of digital media by the exhumation movement, see Renshaw, *Exhuming Loss*, 17–19, and Francisco Ferrándiz and Alejandro Baer, "Violencia política y memoria digital: Las exhumaciones de fosas comunes de la Guerra Civil (1936-1939) en la España contemporánea," in *Territorios, identidades y violencias*, eds. Yanett Segovia and Beatriz Nates Cruz (Mérida: Universidad de los Andes, 2011).

<sup>90</sup> The official title of this legislation is 'Ley 52/2007, de 26 de diciembre, por la que se reconocen y amplían derechos y se establecen medidas en favor de quienes padecieron persecución o violencia durante la guerra civil y la dictadura.' The full text of the law is published in the Official State Bulletin (BOE n° 310), December 27, 2007, <http://ley memoria.mjusticia.gob.es/cs/Satellite/Ley Memoria/en/memoria-historica-522007>.

<sup>91</sup> Gobierno de España, "Memoria Histórica," <http://www.memoriahistorica.gob.es/>; "Mapa de fosas," accessed January 11, 2015, <http://www.memoriahistorica.gob.es/MapaFosas/>.

<sup>92</sup> See, for instance, Francisco Ferrándiz, "Autopsia social de un subterráneo," *Isegoría, Revista de filosofía moral y política* 45 (2011): 536–537.

<sup>93</sup> Rubin, "Against the State."

If we take a closer look at the exhumation movement, we see a mosaic of tens of different national and local organizations.<sup>94</sup> After the Priaranza exhumation, Silva received many communications from other relatives of missing victims of Francoism, so he and a friend, Santiago Macías, decided to found the independent ‘*Asociación para la Recuperación de la Memoria Histórica*’ (Association for the Recovery of Historic Memory, ARMH).<sup>95</sup> Silva presides the organization, and Macías was vice-president until 2011, when he was replaced by Marco González.

Soon, new associations sprung up all over Spain and formed a nationwide exhumation movement.<sup>96</sup> Some of them became local sections of the ARMH, some were just loosely related, and others clustered around a second organization, the ‘*Federación Estatal de Foros por la Memoria*’ (henceforth Foro) that was founded in 2002. This association is closely related to the Spanish communist party (PCE) and is presided over by José María Pedreño.<sup>97</sup> Besides the ARMH and the Foro, a scientific organization of the Basque regional government, ‘*la Sociedad de Ciencias Aranzadi*,’ (Aranzadi) also carries out exhumations under the guidance of the internationally renowned forensic doctor Francisco Etxeberría, who had worked in the exhumation of Emilio Silva’s grandfather in Priaranza in 2000 as well. In addition to these three main organizations, there are several local associations of relatives that have united to deal with ‘their’ mass grave; and other regional, and academic organizations perform exhumations as well.

The ARMH and the Aranzadi team have been most successful in gaining recognition and exhume most mass graves. The ARMH, which is the main organization in this study, has a small permanent technical team to coordinate the exhumations and run the laboratory in Ponferrada (province of León), established in 2007 and only until 2012 partially paid by subsidies. It consists of the vice-president Marco González,

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<sup>94</sup> See: *Hispania Nova* 6 (2006) and 7 (2007); and especially Francisco Ferrándiz, “Exhumaciones y políticas de la memoria en la España contemporánea,” *Hispania Nova* 7 (2007); and Francisco Ferrándiz, The return of Civil War ghosts: The ethnography of exhumations in contemporary Spain, “*Anthropology Today* 22 (2006).

<sup>95</sup> For their website, see: “Asociación para la Recuperación de la Memoria Histórica,” accessed January 9, 2015, <http://www.memoriahistorica.org.es/>; The founders of the ARMH wrote a book about the origins of their organization: Silva and Macías, *Las fosas de Franco*.

<sup>96</sup> See Ferrándiz, “Exhumaciones y políticas”; Sergio Gálvez Biesca, “El proceso de la recuperación de la ‘memoria histórica’ en España: Una aproximación a los movimientos sociales por la memoria,” *International Journal of Iberian Studies* 19 (2006).

<sup>97</sup> “Federación Estatal de Foros por la Memoria,” accessed December 22, <http://www.foroporlamemoria.info/>; Francisco Ferrándiz, “The return of Civil War ghosts: the ethnography of exhumations in contemporary Spain,” *Anthropology Today* 22 (2006): 8. There is also a spin-off organization of this ‘Federación Estatal de Foros por la Memoria,’ called “Foro por la Memoria,” accessed December 22, 2014, <http://www.foroporlamemoria.es/>. In this dissertation, when I use ‘Foro’ I refer to the ‘Federación Estatal’ and its many local sections.

archaeologist René Pacheco, and archaeological assistant Nuria Maqueda. Since 2012 this team has run the laboratory voluntarily in a very precarious financial situation.

It is usually the victims' relatives who take the initiative to request and organize an exhumation. They - sometimes after uniting several families of victims in one grave or town in a local association -- usually contact one of the memory associations such as ARMH or Foro, or a team of researchers such as the one of Aranzadi. These associations or experts help them filling in the request for subsidies, assemble a technical team to carry out the exhumation, and coordinate the exhumation, sometimes in collaboration with local activists or relatives. Aranzadi and ARMH have a small core team working for the organization (that varies over the years due to changing financial and personal situations), and they gather extra volunteers, both expert-practitioners in archaeology or anthropology as untrained volunteers, for every exhumation. In this context, memory associations such as the ARMH and Foro thus form the connection between the relatives and the expert-practitioners who carry out or at least assist in the exhumations.

The ARMH works closely together with Aranzadi but sometimes conflicts with the Foro, both on the national level and in local communities during exhumations or reburials. The main difference between ARMH and Foro is that the ARMH is officially independent from any political party while the Foro is related to the communist party. The ARMH has its origins in a grandson who wanted to find his grandfather in order to bury him next to his grandmother, and the organization was founded to assist other families in their search for their missing. Both ARMH and Aranzadi only exhume a grave when a relative of a victim requests its intervention, and their main goal is a dignified burial for all victims. They generally do not bring political symbols to the exhumations and reburials but let the relatives decide on the ideological content of the rituals. The Foro, in contrast, is an explicitly political organization. For its supporters, the ideology of the victims they exhume is crucial, and they frame exhumations and reburials politically.<sup>98</sup> The ARMH, however, is more successful in disseminating their discourse through press and collaborations with international human rights movements and academics.

At first sight, this division appears an ironic repetition of the discord within the left-wing camp of the Civil War. However, the tensions between the ARMH and Foro can have serious consequences, since they have become a common trope to dismiss useful debate as ARMH-Foro rivalry. This makes expressing constructive critique difficult because of the risk of being accused of promoting one or the other organization. In the end, the different actors are not adversaries: they all share a common enemy, namely,

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<sup>98</sup> Ferrándiz, "Exhumaciones y políticas"; Foro por la Memoria, "Protocolo de excavaciones," November 2003, accessed January 11, 2015, [http://www.foroporlamemoria.info/excavaciones/protocolo\\_fm\\_nov2003.htm](http://www.foroporlamemoria.info/excavaciones/protocolo_fm_nov2003.htm).

the official memory politics of the transition, but each has different aims and practices. They all advocate the right of survivors to know what happened, and support the notion of a dignified burial for the victims with the honours that Francoism had denied them.

## 1.3 Research question: History from the grave?

### 1.3.1 Mass graves and historical theory

This dissertation starts from the observation that the exhumation movement and its supporters metaphorically claim that the exhumation teams ‘excavate’ a “concealed” history and that they are “unearthing memory.”<sup>99</sup> It is believed that exhumations of mass graves finally reveal incontestable facts and thereby break the ‘pact of forgetting.’ There is a general consensus that the exhumations have opened up the public debate about a past that was previously not considered part of Spain’s official history: the past of the defeated of the Civil War and those oppressed by the dictatorship. As anthropologist Layla Renshaw concluded in 2003, “the images reach a wide cross-section of Spanish society, demanding attention and provoking reflection opening a space for debate to begin.”<sup>100</sup> There is a strong belief, both from activists within the memory movement and from observers, that since 2000, Spain’s collective memory is changing and that this change is coming not from classic authorities of the past, like historians, but directly from the grave.

The ARMH team, for instance, thinks that the mass graves “teach a history lesson one cannot find in any history textbook”;<sup>101</sup> and some Aranzadi volunteers state that they “verify things one does not find in the archives”: “we create history, we show that the history of the *vencedores* (winners) is not true.” They claim they are more objective and less revisionist than historians: “If there will be a coup tomorrow, there will be another history, but we will continue to do the same.” “Twenty years ago, or twenty years from

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<sup>99</sup> See, for instance, “*La memoria es de tierra, [...] esconde el testimonio de los crímenes, [...]*” in: Emilio Silva, “*La tierra ya no duerme,*” in *La memoria de la tierra: exhumaciones de asesinados por la represión franquista*, ed. Clemente Bernad and Eloy Alonso (Madrid: Tébar, 2008), 11; Emilio Silva, “*Las fosas del franquismo, desenterrar la memoria.*” *Cuadernos del Caum*, May 2007, 1th edition, 1–16, accessed December 15, 2013. [http://www.caum.es/CARPETAS/cuadernos/cuadernospdf/libro16/Fosas\\_del\\_franquismo.pdf](http://www.caum.es/CARPETAS/cuadernos/cuadernospdf/libro16/Fosas_del_franquismo.pdf).

<sup>100</sup> Layla Renshaw, “The iconography of exhumation: Representations of mass graves from the Spanish Civil War,” in *Archaeology and the media*, ed. Timothy Clack and Marcus Brittain (Walnut Creek: Leftcoast Press, 2007), 251.

<sup>101</sup> Armh Memoria Histórica, Facebook post, June 6, 2014, accessed June 14, 2014.

now, our work was and will be the same. We do not interpret, but create objective truth.” Their truth is very specific and concrete; they reconstruct “just some meters, while we do not know what is there some meters ahead.” They explain the impact of the exhumations on memory with, amongst other things, their proximity to the material of the past: “*Yo toco al hueso*,” one of the Aranzadi volunteers stresses, “I touch the bone.”<sup>102</sup>

The Spanish memory movement attaches much credit to the history that comes from the graves. One-third of the limited subsidies for ‘historical memory’ projects granted by the Spanish government between 2006 and 2010 went to the exhumation of mass graves. The collection of oral testimonies, archival projects, publications, or studies each received between 4% and 13% of the state budget for historical memory.<sup>103</sup>

How can we explain the perceived impact of the exhumations on collective memory, an impact that is estimated to be much larger than decades of historiography? According to Renshaw, this prioritizing of exhumations is

a calculation of the strategic value of the visual images and symbolic associations produced by the act of exhumation [...] The iconography of a mass grave is a useful political tool because it can say the un-sayable [...] Visual images of mass grave being opened can articulate a complex set of messages, without the archaeologists, exhumation coordinators, or journalists ever having to explicitly articulate these messages or be seen publicly to intentionally politicize the investigative process.<sup>104</sup>

Renshaw mainly attributes the success of the exhumation campaign to its capacity to forge representations of the ‘forbidden’ republican past in visual and material forms. She explains how the “privileging of physical evidence, including human remains [...] is thought to counteract some of the anxieties around the fallability of human memory [and] the act of witnessing,” that emerged in historiographical debates after the Holocaust.<sup>105</sup> These are seemingly unmediated and therefore overcome the political opposition that the defeated encounter when they express their memory in text, a medium perceived as more subjective and interpretative. The rupture in recent memory politics is thus, according to her, constituted by a shift from the verbal register of books to materializing the dead physically by exposing bodies.<sup>106</sup> The power of this ‘history from the grave’ is that it seems as if one can gaze directly at an undeniable past when looking into the pit of an exposed grave. As forensic anthropologists Derek Congram

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<sup>102</sup> Volunteers Aranzadi, conversations during exhumation, fieldnotes, La Mazorra, May 2011.

<sup>103</sup> ARMH, “Datos de subvenciones por cuantía 2006/2010,” report in e-mail to author, 2010.

<sup>104</sup> Renshaw, “The iconography of exhumation,” 245.

<sup>105</sup> Renshaw, *Exhuming Loss*, 14.

<sup>106</sup> *Ibid.*, 26, 119, 223, 227.



and Dawnie Wolfe Steadman express the idea: “The archaeological and anthropological evidence in Spain – as elsewhere, however, speaks for itself if we allow it to.”<sup>107</sup>

Much attention is paid to the question of why the movement emerged and why now. There are studies on the pact of silence, the Francoist repression, transmitted trauma, and the condition of post-memory.<sup>108</sup> Memory itself, however, is thereby almost taken for granted and the possible roads for that memory therefore limited: it can be transmitted and preserved or withheld, revealed or concealed, remembered or forgotten, exhumed or left buried – and the question is: why or why not?<sup>109</sup>

After fifteen years of exhumations in Spain, it is time to go beyond the observation that the exhumations have opened a debate about the Spanish past and to analyze what results they have obtained. All observers agree that the exhumations ‘bring back the past,’ but the nature of this revelation remains unquestioned: what kind of truth, message, consciousness, representation of the past comes from these graves? The main research question of this dissertation pertains precisely to that next step: What kind of history is constructed through the Spanish mass grave exhumations? And what is its precise political impact on Spain’s collective memory?

In what follows, I elaborate on this research question and explain how this study contributes to the research fields of historical theory and memory studies. It is important to point out that I only assess the impact of the *exhumations*, which means that my conclusions about their capacity to construct a new collective memory does not necessarily apply to the memory movement as a whole. I specifically focus on the role of the exhumations in the overall impact of the memory movement.

Not only the exhumation associations and its supporters but also theorists of history have linked the discipline of history and historiography to the contemplation of the dead body and graves, mourning, death, and the finitude of life in general. Ewa Domanska for instance states that that “history begins in the grave.”<sup>110</sup> I aim to contribute to this more general debate on the relationship between history and death, by empirically testing Ewa Domanska’s thesis. I will assert that history and death are indeed related but that differences in ways of dealing with the dead – in this study

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<sup>107</sup> Derek Congram and Dawnie Wolfe Steadman, “Distinguished Guests or Agents of Ingérence: Foreign Participation in Spanish Civil War Grave Excavations,” *Complutum* 19 (2008): 170.

<sup>108</sup> These were the main questions addressed in a theme issue of *History and Memory* 14 (2002), with contributions by Paloma Aguilar, Caroline Boyd, Angela Cenarro, Susana Narotzky and Gavin Smith, and Michael Richards, that I frequently use throughout this dissertation.

<sup>109</sup> See, for instance, Aguilar’s argument that alternative memories emerge when democracies are instated, in Aguilar, *Memory and Amnesia*, 265.

<sup>110</sup> Ewa Domanska, “Toward the archaeontology of the dead body,” *Rethinking History: The Journal of Theory and Practice* 9 (2005): 398.

concretely: differences in exhumation practices and discourses – can lead to a great diversity of ‘histories’ coming from the Spanish graves.

To answer the main research question, I apply a framework of historical theory to the memory practice of the exhumations. If it is true that the exhumations in Spain matter more for collective history than for historiography, then historical theory has to shift its focus to this diversity of popular memory practices, including the exhumation of mass graves as a mode of articulating a vision on the past. Even if the sources of the exhumations are bones, I examine them as if they were a history book, and the mass grave an archive. This study thus applies historical theory to diverse contemporary memory practices or, ‘the practical past.’ I hereby follow scholars in memory studies note that history is no longer produced only through academic monographs but also is produced by, for example, cinema and digital media<sup>111</sup> or, in this case, mass grave exhumations. I thereby regularly cross the boundaries that scholars such as Juliá draw between history and memory. I contend that historical theory should be historical practice and should dare to leave the academic limits of historiography and enter the political arena of memory politics. Historical theory can be vital if it turns to non-academic social practices of dealing with the past, such as documentaries, commemorations, re-enactments, etc.

Studying exhumations as memory practices implies a focus on how ‘history works in society’ or, in other words, ‘the practical past.’ I therefore added an ethnographic methodology of participant observation to the framework of historical theory. Chapter 2 gives an overview of the methodology and cases of this study and a description of how I conducted participant observation in the exhumation movement.

The idea that the past surfaces unmediated in the exhumations blinds us to one of the first insights of memory studies, viz., that collective memory is a constructed and contingent phenomenon, dependent on changing power relations and constructed by all kinds of “memory activists”<sup>112</sup> or “memory makers.”<sup>113</sup> As historian Michael Richards also remarks,

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<sup>111</sup> Ann Rigney, “When the monograph is no longer the medium: Historical narrative in the online age,” *History and Theory* 49 (2010).

<sup>112</sup> Term from the historian Carol Gluck, cited in Jay Winter, “Representations of War and the Social Construction of Silence,” in *Fighting words and images: Representing war across the disciplines*, ed. Stephan Jaeger et al. (Toronto: University of Toronto Press, 2010), 34.

<sup>113</sup> Term used by Michael Richards to refer to the actors that construct cultural trauma in post-conflict societies (see Richards, *After the Civil War*, 339), and by Wulf Kansteiner in his plea for studying the social dynamic behind memory representations. He concretely proposes to focus on the negotiation between different historical agents, such as memory makers and memory consumers (see Wulf Kansteiner, “Finding Meaning in Memory: A Methodological Critique of Collective Memory Studies,” *History and Theory* 41 (2002): 179.

in isolation, the psychoanalytic metaphor which argues for the collectively harmful effects of the suppression of painful memories in the aftermath of violent conflict is too static an image of a 'collective mind' at work to account for variations of public memory over time.<sup>114</sup>

Like other memory practices, mass grave exhumations are not just an expression of what happened in the past – as in the Rankean idea that the sources speak for themselves – but can be regarded as a construction that is mediated by memory activists. I hereby follow Renshaw who calls, even if she focuses on the material representations of the exhumations, the believe that physical evidence is more objective naive, since these “can still exhibit authorship and mediation through acts of selection and framing.”<sup>115</sup>

My focus is precisely on the different modes of mediation of these memory activists who are constructing memory by the exhumations. Rather than assuming that the graves reveal unmediated truth that we only have to ‘allow to surface,’ I would like to draw our attention to the agency and responsibility of the ones who are shaping Spain’s memory: forensic anthropologists, archaeologists, volunteers, and all other actors involved in the exhumations. Indeed, since the worldwide ‘memory boom,’ memory activists include a wide range of social movements, such as the exhumation movement in Spain. I contend that those who are ‘listening to the dead’ do mediate the messages from the graves, and engage in a representation of the dead and the past.

### 1.3.2 Memory frictions: The local, national, and global *a pie de fosa*<sup>116</sup>

*I have to think globally but act locally*  
(José Ignacio Casado, ARMH)<sup>117</sup>

As said, this study also aims to analyze the *political* impact of transitional justice mechanisms such as exhumations. It is indeed important to remind that I only assess the political and collective, not the personal and psychological, aspects of memory. To reveal the politics of memory behind the seemingly objective endeavour of forensic exhumations, I focus on the interaction between different clusters of memory activists and the diversity in histories they construct in the wake of the exhumations. I aim to reopen a debate in memory studies previously settled by John Torpey, who famously

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<sup>114</sup> Richards, *After the Civil War*, 363.

<sup>115</sup> Renshaw, *Exhuming Loss*, 14.

<sup>116</sup> Spanish for ‘at the foot of the mass grave.’

<sup>117</sup> José Ignacio Casado (ARMH Burgos), public speech, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

argued that the worldwide ‘memory boom’ with its retrospective politics supplanted ideological, utopian, and future-oriented projects. I will test this hypothesis by focussing on the heterogeneity of ideas on how to deal with the past that meet in the Spanish exhumations.

A focus on interconnections, encounters, and frictions between different actors involved in memory work can denaturalize some dominant assumptions of transitional justice studies. As said, in the international realm, the Spanish case, with its belated turn to the past, is internationally used precisely to prove the naturalness or inevitability of an active confrontation of the past, in the form of transitional justice measures such as forensic mass grave exhumations. Furthermore, when a society goes through a process of democratization, it is expected that a collective memory – based on what actually happened – emerges.<sup>118</sup> In the time that has passed since the Spanish transition, transitional justice has become very influential in international policy circles, to the extent of creating a “transitional justice culture” that is hard to question.<sup>119</sup>

Transitional justice is a value-driven field, where scholars and advocates are in search of best practices to disseminate in countries in transition. These studies are often oriented at finding a consensual, homogenous model of do’s and don’ts. One-size-fits-all models however deny the contingency of norms about how to deal with the past, the specific historical context, and the political struggle of which these norms are part. As François Hartog describes in his work *Régimes d’historicités*, the way how societies deal with the past can evolve over time.<sup>120</sup> Berber Bevernage used the same concept to study conflicts over the past *within* societies, which reveals an interesting and diverse memory politics.<sup>121</sup> Studying conflicting visions on memory within societies reveals the political nature of memory. Following anthropologists Catherine Besteman and Angelique Haugerud, I believe that engaged research is about opening our eyes to alternative memory practices and ideas, problematizing dominant practices, and opening up debates – in this case, a debate in Spain that seems locked between supporters of truth-revelation and advocates of forgetting. Instead of presenting the best way to deal with

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<sup>118</sup> See, for instance, the argument of Aguilar that alternative memories “always emerge as authoritarian regimes become more liberal and, in particular, as democracies are instated or reinstated,” in Aguilar, *Memory and Amnesia*, 265.

<sup>119</sup> Term from Stephanie R. Golob, “Evolution or Revolution? Transitional Justice Culture Across Borders” (working paper, number 3, Instituto de Políticas y Bienes Públicos (IPP), CCHS-CSIC, 2010); and Stephanie R. Golob, “Volver: The Return of/to Transitional Justice Politics in Spain,” *Journal of Spanish Cultural Studies* 9 (2008): 127.

<sup>120</sup> François Hartog, *Régimes d’Historicité: Présentisme et expériences du temps* (Paris: Seuil, 2003).

<sup>121</sup> Koen Aerts and Berber Bevernage, “Haunting pasts: time and historicity as constructed by the Argentine Madres de Plaza de Mayo and radical Flemish nationalists,” *Social History* 34 (2009): 393.

mass graves, this dissertation will make visible a diversity of norms and practices.<sup>122</sup> As will become clear, the political role of the exhumations that this study tries to reveal therefore refers not only to the memory movement's struggle to break the memory politics installed by Francoism and the transition but also to the differences within the camp of supporters or the differences between remembrance and truth-revealing.

In order to go beyond the idea of unmediated truth coming from the graves and to find possible different 'histories' constructed by the exhumation movement, this study focuses on how transitional justice practices are disseminated at a local level, appropriated, adapted, and in some cases maybe contested. How do new norms about how to deal with the past through exhumations travel from the transnational and global memory cultures, through Spanish NGOs and then to local communities and back? Where do these norms come from, and how do they evolve in the Spanish context? What is the impact of the exhumation movement's norms on different levels of society? With this research I will put forward the hypothesis that Spain does not prove the naturalness and universality of the resurfacing of the past but, on the contrary, presents an ideal case to observe how ideas of transitional justice are constructed, appropriated, and disseminated.

The Spanish exhumations are excellent opportunities for an ethnographic study of the encounter between different clusters of memory activists. Due to their unregulated character, the exhumations are communal and participative, public and open for anyone to visit. The exhumations are sites of significant interaction between volunteers, expert-practitioners, state representatives, victims' relatives, political activists, local communities, and others. The Spanish exhumations also link up different spheres: private and public, urban and rural, young and old, amateur and professional, political and apolitical, local and global, past and present. Due to the mobility of the exhumation teams, they are the actors who link together all these different actors and spheres. As I will illustrate in this dissertation, travelling from pit to pit, the exhumation teams connect international transitional justice practices with the most remote rural villages in Spain.

Observing the teams in their interaction with other actors, I deduced three levels of analysis that will structure the stakeholders who meet in the exhumations: a micro level of local, often rural, communities; a meso level of national memory associations and, often urban, volunteers and expert-practitioners; and a macro level of international

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<sup>122</sup> See the theme issue on engaged anthropology: Catherine Besteman and Angelique Haugerud, "The desire for relevance," *Anthropology Today* 29 (2013); Thomas Hylland Eriksen, "The Anansi position," *Anthropology Today* 29 (2013).

memory actors such as transitional justice practitioners.<sup>123</sup> Due to the fragmented nature of the Spanish exhumation movement, the meso level itself is also internally diverse.

The power differential between these three levels is complex. While on the Spanish national scale the memory associations that use transitional justice practices struggle against the establishment, in the international realm the transitional justice paradigm that they (at least partially) adhere to has become so dominant that it is hard to question. On the one hand, the ARMH is thus a bottom-up organization, initiated to help victims' relatives and to fight opposition from above. On the other hand, the association is in direct contact with international organizations and institutions such as Amnesty International and the UN Commission for Human Rights. Clearly, we cannot assume that the exhumation associations univocally represent the victims' relatives and local communities. Therefore, I will regard the exhumation associations as an intermediate level between the local and the global, a perspective that is different from their usual depiction as a bottom-up organization. To study the circulation of norms and practices between the local and the global, I conducted multi-sited ethnography and followed the ARMH in their encounters with other stakeholders, which is explained in the methodological Chapter 2.

Focussing on the connections between those different actors helps to empirically test the impact of transitional justice practices at different levels. This study therefore contributes to the recent debate in transitional justice and memory studies about attempts for more transitional justice 'from below' and about 'memory frictions' when local actors encounter international transitional justice policies.<sup>124</sup> This debate is part of the "universality debate" on human rights.<sup>125</sup> Because of the 'intermediate' function of the organization under study, my contribution does not lie in offering 'the victims' perspective;' rather, it lies in explaining how memory activists navigate between different ways of dealing with the past, from local communities to state institutions and international human rights organizations. Therefore, this is neither a study of transitional justice from above nor a study from below but a study of the chain of encounters between different groups that engage with the exhumations in Spain. Moreover, while these studies usually focus on cultural frictions between Western

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<sup>123</sup> It is important to stress that these clusters are analytical levels that I constructed in order to clarify the results of this study. In reality, there are many overlaps and exceptions.

<sup>124</sup> I will thereby follow examples of Rosalind Shaw, "Memory Frictions: Localizing the Truth and Reconciliation Commission in Sierra Leone," *The International Journal of Transitional Justice*, 1 (2007); and Lieselotte Viaene, "Voices from the shadows. The Role of Cultural Contexts in Transitional Justice Processes. Maya Q'eqchi' Perspectives from Post-Conflict Guatemala" (PhD diss., Ghent University, 2011).

<sup>125</sup> Viaene, "Voices from the shadows," 63.

human rights concepts and non-Western norms, this study focuses instead on political contestations of transitional justice within a Western society.<sup>126</sup>

A focus on the encounter between different actors will inevitably bring up differences between organizations within the Spanish memory movement. This is not to point to competition on a ‘memory market,’ nor is it intended to favour one organization or actor over another. My focus on frictions between different memory actors is only aimed to highlight the ongoing debate between different visions on how to deal with the past or, in other words, the politics of memory, involved in the seemingly unmediated memory making of forensic exhumations. According to Besteman, “remaining attentive to cracks in the armour” is a strategy of engaged research “to introduce new ideas in public arenas.” It keeps alternatives to dominant practices and assumptions in play and thus gives a chance to rupture a status quo and effect change.<sup>127</sup> To aptly describe possible tensions, I use the concept of ‘friction.’ According to anthropologist Anna Tsing, the encounter between local and global phenomena brings

creative friction to global connections [...] “A wheel turns because of its encounter with the surface of the road; spinning in the air it goes nowhere [...] As a metaphorical image, friction reminds us that heterogeneous and unequal encounters can lead to new arrangements of culture and power.”<sup>128</sup>

I will focus on how international concepts such as *desaparecido* and practices such as DNA technology are applied in a new context such as Spain and thereby obtain new functions and meanings. This focus on frictions keeps our minds open for unpredictable outcomes of local applications of international practices: groups who are seemingly in ‘the same boat’ can disagree, while initial mistrust between some groups can turn into collaboration.

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<sup>126</sup> I will be careful to distinguish between local deviations of global memory practices due to differences in principles and deviations due to the inability of the local actors to achieve them, because of too few resources or too much opposition.

<sup>127</sup> Catherine Besteman, “Three reflections on public anthropology,” *Anthropology Today* 29 (2013): 5.

<sup>128</sup> Tsing uses this concept to investigate the circulation and interconnection of the global phenomenon of environmental activism. See Anna Lowenhapt Tsing, *Friction. An Ethnography of Global Connection* (Princeton and Oxford: Princeton University Press, 2005), iv, 5.

## 1.4 Outline of the book

This introductory chapter is first followed by a methodological chapter that discusses the methodological choices made and the cases studied. Subsequently, Chapter 3, 4, and 5 investigate one concrete building stone of the representation of the past that the exhumation movement creates. Chapter 3 focusses on the truth generated by the exhumations, Chapter 4 on politics of acknowledgement and reparation, and Chapter 5 on the time concepts deployed and disseminated by the exhumation movement. This way, each chapter gives part of the answer on the question of what kind of rupture the exhumations effect in Spain's politics of memory and what sort of political impact they have. Ultimately, in Chapter 6, I try to answer my overall question of what kind of representation of the past is constructed in the wake of the exhumations.

### 1.4.1 The forensic turn in memory

In Chapter 3 I focus on the most prominent aspect of the rupture the exhumation movement claims to effect, namely, the truth-revealing capacity of exhumations. Most academic and journalistic accounts indeed understand the impact of the exhumation movement in terms of truth versus forgetting. The Spanish memory movement itself also claims that its mass grave exhumations finally reveal the truth about a previously hidden past of the Spanish Civil War and Francoist dictatorship. I will investigate where this dominant interpretation comes from, how this interpretation is appropriated in Spain, and what its consequences are. What kind of truth do the exhumations contribute to Spain's historical record? And what does this truth-revealing exactly claim to break when it refers to the 'pact of forgetting'?

I will contend that the dominant understanding of mass graves as sites of concealment of crimes, and exhumations as efforts to dig up the truth about those crimes, comes from what I call the 'forensic turn' in international memory politics. This turn points not only to the increasing application of forensic exhumations in human-rights investigations but also to a cluster of ideas that influence our ideas on history and memory.

I use the term 'forensic turn' to cluster some related global trends in how societies respond to historical injustice. Strictly, 'forensic' points to the fact that the truth sought in these contexts is increasingly limited to truth with a judicial function: facts that can serve as objective evidence in court. The truth that is sought is "factual and existential,"



and forensic anthropologists can provide this.<sup>129</sup> In addition, this ‘forensic turn’ leads human-rights investigators to material, bodily evidence.<sup>130</sup> As I will describe, forensic mass grave exhumations are increasingly part of societies’ response to mass violence. “Bones don’t lie”, a quote originating in the Argentinean exhumations of the eighties, is echoing in other post-conflict societies, such as Spain. A third aspect of what I compress into the term ‘the forensic turn’ is that the forensic truth generated by exhumations is claimed to contribute to the historical record of a violent past. They aim to fulfil the “right to the truth,” an international principle that has become unrenounceable in the field of transitional justice.<sup>131</sup>

This all leads to a general juxtaposition of the revelation of factual truth, on the one hand, with forgetting or concealment, on the other. To sum up, the idea that truth can be straightforwardly found on the victim’s body – a truth otherwise concealed by perpetrators – and that this truth contributes not only to the court but also to the historical record is what I call the forensic paradigm of truth. A consequence of this paradigm is that internationally, victim’s bodies and mass graves are now regarded as ‘witnesses of the past.’ More than archives or testimonies, bodies seem to tell the story of the past. Identification of bodies of victims is equalled to recovering the ‘history’ of the victims. While forensic anthropologists have become new authorities on violent pasts, mass graves have become symbols of forgetting and concealment.

For historians, the most interesting aspect is how the forensic turn influences ideas on history and memory. Especially in the light of the centrality of the exhumation campaign of the Spanish memory movement: what happens with the collective memory of a country when it puts forensic truth at the forefront of its memory politics? What are the implications, including political ones, of the forensic gaze and practice on how we deal with the past?

I will contend that the idea that exhumations reveal the ultimate truth about a past that perpetrators wanted to conceal in mass graves is a recent interpretation, embedded in the fight for universal accountability of crimes against humanity, influenced by the investigations of enforced disappearances pioneered in Argentina. Subsequently, I will argue that the alliance with international memory trends has been essential for the success of the Spanish memory movements but that the forensic turn is somewhat incongruous within the Spanish context. Therefore, it also entails some risks.

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<sup>129</sup> See Antoon De Baets, *Responsible History* (New York: Berghahn Books, 2009), 155.

<sup>130</sup> On the role of the body in human rights investigations, I use Eric Klinenberg, “Bodies that don’t matter: Death and Dereliction in Chicago,” *Body & Society* 7 (2001), 121.

<sup>131</sup> See Berber Bevernage, *History, Memory, and State-Sponsored Violence: Time and Justice* (New York: Routledge, 2011), 10; De Baets, *Responsible History*, 155.

After describing the historical origins and genealogy of the international forensic turn, I will investigate how it is appropriated by the Spanish exhumation movement. How did its ideas and practices travel to Spain, and how are they disseminated throughout Spain? I will describe how the mobile exhumation teams link the most remote local communities in Spain with international memory cultures, through their contacts with international human-rights organizations and by using pioneers in the forensic turn as exempla and sources of knowledge, experience, concepts, and iconography. I will highlight the effects of Emilio Silva's introduction in 2000 of the concept *desaparecido* (disappeared) in the Spanish context. I will also discuss how the exhumation teams have constructed the idea of mass graves as containers of a concealed past and forensic truth as an element in the construction of a historical account, and how the associations transformed the Spanish mass graves into forensic evidence that can be used in human-rights activism.

Spain is a unique case in the global forensic turn. Therefore, the idea that forensic mass grave exhumations finally reveal the truth about a hidden or forgotten history is somewhat incongruous in Spain and does not suffice to understand both the meaning of the mass graves in the villages and the impact of the exhumations. First of all, the temporality of the exhumations, long after the conflict and transition and amidst new international trends, is unique. Spain is one of the most recent countries to deploy exhumations in human-rights investigations, and at the same time the remains are the oldest ones subjected to forensic investigations. Moreover, in Spain, a memory practice that is usually part of a judicial process is applied in an unregulated and non-judicial context. Indeed, Francoism is so far not on trial in Spain, and therefore the truth gathered in the exhumations does not serve criminal investigations; it has mainly a humanitarian aim, to return the remains to the families. Second, many of the mass graves in Spain are known as local public secrets, and many exhumations, due to a lack of resources or the deteriorated state of the old remains, do not reveal much new knowledge. Moreover, I will contend that, due to the usual judicial function of the exhumations, their contribution to the historical record is limited to facts about the causes of death of the individuals exhumed from the graves.

I will propose two hypotheses on the possible implications of interpreting the Spanish exhumation in the framework of the forensic turn. First, I will contend that forensic truth in Spain has been an important means to achieve another end, namely, the legitimization of any engagement with the Civil War past. Indeed, the scientific, judicial, and apolitical status of forensic truth, so I argue, has helped to overcome the fierce political opposition against engaging with the Civil War past in Spain in general and especially against collective or political representation of the Republican dead. The perceived unmediated character of the truth revealed by the exhumations, the objective gaze of scientists such as forensic doctors and archaeologists, and the choice of the ARMH and Aranzadi to adhere to internationally recognized human rights such as the

right to know and the right to a proper burial, rather than national political, have a depoliticizing effect. It is this effect that has been crucial in helping to overcome opposition. The forensic paradigm of truth in Spain has opened up new possibilities for civic engagement with the Republican past, while at the same time it has avoided breaking the prohibition on political representation of this past.

The most important implication of the forensic turn in Spain's collective memory, I believe, is the equation of recovering bodies with remembering and of untouched mass graves with forgetting. Mass graves have become symbols of the 'pact of forgetting' and of the presence of a past that is not worked through; and exhumations have become the symbol of the inevitable return of such a past. Understanding the exhumations in Spain purely in the dichotomy of forensic truth versus forgetting makes the exhumations seem as a natural and inevitable reaction to a past of war and dictatorship. Moreover, it carries the risk of neglecting other memory practices and other ways in which the exhumations can change Spain's collective memory. Indeed, as I will illustrate in this dissertation, other ways of remembering in Spain are now all too easily dismissed. The pedagogy of exposure of graves and the idea that seeing a grave leads to historical consciousness holds the risk that not wanting to see graves is considered not wanting to confront the past.

#### 1.4.2 Memory politics beyond the forensic turn

If the forensic truth created by the exhumations does not suffice to understand the perceived rupture of the 'pact of forgetting' in Spain, my quest continues: are there other elements, in addition to forensic truth, that contribute to the 'new history' that the exhumation movement is constructing?

To be able to fully understand mass grave exhumations beyond the dichotomy of truth revealing versus forgetting, I propose a shift in focus from the nucleus of the graves and bodies to the space around the graves. I thus focus on what Renshaw has called the "discursive space" that the exhumations open up.<sup>132</sup> While the practice of exhumations invites many scholars to focus on the 'agency' of human remains and their material presence, I go back to the constructivist paradigm of memory studies, with which social and cultural anthropologists and historians study the significance that different people give to bones by interacting with them.<sup>133</sup> I will focus on elements other than the material to explain the outcome of the Spanish exhumation movement.

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<sup>132</sup> Layla Renshaw, "The Scientific and Affective Identification of Republican Civilian Victims from the Spanish Civil War," *Journal of Material Culture* 15 (2010): 3.

<sup>133</sup> See the statement of interests of the 'Bones Collective,' an international and interdisciplinary research network of investigators with a shared interest in human bones. The University of Edinburgh, "Statement of

Although the Spanish case seems at first sight to prove the necessity of the forensic turn, I will investigate ways to understand exhumations outside this framework. I will illustrate this with examples from the work and discourse of the three major associations. Foro spokesmen claim that “recovering cadaverous remains does not necessarily mean recovering memory,”<sup>134</sup> and intellectuals supporting the ARMH as well caution that the digging is only the beginning of their work. My research will indeed show how the link between exhumations and collective memory depends on the discourses and practices that accompany it.

A shift in focus from the purely bodily, material, biological gaze of the forensic paradigm to the memory discourses and practices surrounding an exhumation can reveal meanings of mass graves other than forgetting and, related to this, constitutive elements of collective memory other than forensic truth. It can indeed provide us with a better understanding of Spain’s ‘pact of forgetting.’ Therefore, I start each chapter with a short revision of this ‘pact.’ The type of forgetting or silence that surrounded the mass graves frames the way the exhumation movement tries to break the pact of silence, and partly determines its chances to success or failure.

Following anthropologists of violence like Anton Blok, historians like Jay Winter, and law specialists Kieran McEvoy and Heather Conway,<sup>135</sup> this study considers silence, the concealment, disposal, and non-burial of bodies, and the non-commemoration and prohibition on mourning all meaningful memory practices. Chapters 4 and 5 explore the meaning of mass graves beyond forgetting. This introduction has already pointed out that the Civil War past was, rather than forgotten, very present in the minds of the political elite. And, as said, Chapter 3 will point out that the mass graves were known locally but subject to a prohibition on collective and political representation. Chapter 4 will interpret the ‘pact of forgetting’ as a prohibition on public mourning and commemoration, and Chapter 5 will focus on the temporal notion, instilled by the transition, that the past was ‘passed’ rather than relevant in the present.

This study therefore aims to show that there is much more at stake in the exhumations than revealing previously concealed truth, concretely acknowledging and

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Interests,” accessed November 22, 2014,

[http://www.san.ed.ac.uk/research/grants\\_and\\_projects/current\\_projects/bones\\_collective/statement\\_of\\_interests](http://www.san.ed.ac.uk/research/grants_and_projects/current_projects/bones_collective/statement_of_interests).

<sup>134</sup> Federación Estatal de Foros por la Memoria, “Arqueología contra la impunidad,” *Rebelión*, April 20, 2010. Accessed September 1, 2014, <http://www.rebelion.org/noticia.php?id=104415>.

<sup>135</sup> Anton Blok, *The Enigma of Senseless Violence*, in *Meanings of Violence: A Cross Cultural Perspective*, ed. Göran Aijmer and Jon Abbink (Oxford & New York: Berg, 2000); Jay Winter, “Representations of War and the Social Construction of Silence,” in *Fighting words and images: Representing war across the disciplines*, ed. Stephan Jaeger et al. (Toronto: University of Toronto Press, 2010); Kieran McEvoy and Heather Conway, “The Dead, the Law, and the Politics of the Past,” *Journal of Law and Society*, 31 (2004): 541.

making reparation for the violence, and reconfiguring the dominant time concept to deal with the Civil War past. Studying these aspects will contribute to a better understanding of what kind of representation of the past is constructed in the exhumations and how the exhumations affect Spain's collective memory. Moreover, it will give a broader understanding of the transitional justice practice of exhumations, beyond its forensic aspects.

Ultimately, looking beyond the aspect of forensic truth-revealing will show a more diverse picture and thus a 'politics' of memory beyond that which the forensic paradigm of objective truth suggests. Some expert-practitioners say that exhuming the missing in Bosnia, Somalia, or Guatemala is everywhere the same. Indeed, the forensic practice is based on international scientific and judicial protocols and universal humanitarian needs such as mourning. The forensic turn has produced practices, images, iconography, and concepts that travel along with the expert-practitioners and organizations from one country to another. The inscription of the Spanish exhumations into this canon holds the risk of a certain orthodoxy and loss of specific historical and political context. Bones might 'not lie,' but if we see them as 'natural,' or the only, carriers of memory, we fail to see the diversity added to the forensic proceedings by the actions and discourses around the bodies. Following anthropologists of violence who argue that violent acts mean different things depending upon their context, I argue that reparations of that violence, such as forensic exhumations, also carry diverse meanings. As Regina Janes states, "while severed heads always speak, they say different things in different cultures."<sup>136</sup> I argue that the violence inflicted on republicans by dumping them in a mass grave speaks in diverse ways, that the exposed and exhumed bones speak anew today, and that many different histories can come from the same graves, objects, and bodies. In Chapters 4 and 5, I will therefore discuss how breaking the 'pact of forgetting' moves in different, and sometimes unintended, directions.

## **From knowledge to acknowledgement and reparation**

In Chapter 4 I analyze the rupture the exhumations cause in the framework of the public-private dichotomy. I will first describe the memory politics installed by the transition as a restriction on public commemoration and mourning. I will argue that the creation of mass graves during the Spanish Civil War was not so much designed to hide crime, as the forensic paradigm would suggest, but was part of a terror campaign in which the violence was intentionally public, exemplary, and symbolic. After the killings, memorializing the dead was prohibited in the public sphere, and the killings were unacknowledged. Therefore, I put forward the notion that the Spanish exhumations are

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<sup>136</sup> Cited in Blok, "Senseless Violence," 33.

an effort to first repair the symbolic violence inflicted on the Republican dead and, second, break this ‘privatization’ of Republican memory that both Francoism and the transition installed.

I will contend that, because of their communal character, the exhumations are important new mechanisms to make knowledge about the past known and pursue acknowledgement. How do the Spanish exhumations thus contribute to the acknowledgement and reparation of the violence inflicted on the defeated of the Civil War? I will focus on several ways in which the exhumations “articulate the known,” to use a phrase of the Nigerian Nobel prize-winner Wole Soyinka. I will analyze how the exhumation teams turn the mass gravesites into participatory spaces and reclaim public space for the Republican dead and their mourning community. I also investigate the exhumations from a pedagogic perspective and will describe them as ‘mobile seminars.’ I will especially pay attention to their capacity to connect different kinds of public and construct a new *milieu de mémoire* or network of memory, a concept of the historian Pierre Nora.

At the same time, because of the unofficial and fragmented nature of the exhumation associations, this acknowledgement moves in very different directions. Chapter 4 will therefore investigate to what extent the exhumation associations achieve acknowledgement and reparation. From whom and to whom, and for what type of abuses, is acknowledgement and reparation given? Do the associations achieve ‘official’ acknowledgement? To distinguish between different kinds of reparations, I use the difference John Torpey draws between “commemorative” and “anti-systemic” reparations. Does the exhumation campaign target perpetrators, or beneficiaries, or are they merely victim-centred? Do they focus on specific abuses committed against individuals, or also on systemic, continuous abuses against certain groups?

## **Breaking the foundational time of the transition**

We can detect an even more profound way in which the exhumations reconfigure Spain’s relationship with its past. In Chapter 5 I take a look at how the exhumation associations engage in a “politics of time,” according to philosopher Peter Osborne “a politics which takes the temporal structures of social practices as the specific objects of its transformative (or preservative) intent.”<sup>137</sup> I believe the perceived rupture caused by the ‘mass grave phenomenon’ indeed has to do with the temporal concepts employed by the exhumation movement.

I will contend that the exhumation movement breaks the ‘regime of historicity’ installed by the transition. I borrow this concept from the French historian François

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<sup>137</sup> Peter Osborne, *The Politics of Time* (New York: Verso, 1995), xii.

Hartog, who introduced it to describe the ways in which cultures or civilizations relate to temporal dimensions of past, present and future.<sup>138</sup> I however use it as Koen Aerts and Berber Bevernage propose, to “shed [...] light on intra-cultural conflicts in contested nations.”<sup>139</sup> The reconciliation discourse had a performative aspect to it, for it not only expressed the hope but also demanded and effected that the divisive past was now *ya pasó* (over and done with). The republican memory movement breaks with this official time line by declaring that the Civil War past is present for many Spaniards related to Republicans. It does this by interpreting the exhumations in psychopathological terms as a natural reaction to a traumatic past and as evidence of the fact that this past should be healed by a therapeutic memory that fosters closure. This vision on time, which I will call “trauma-therapy-closure (TTC) time,” is actually in line with the ‘transitional justice culture’ that has gained prominence all over the world and that is using Spain as an example of the inevitability of a return of the past when it is not properly worked through. What are the political implications of this shift in ‘regime of historicity?’ How do the different actors in the exhumation movement construct and disseminate their time concepts?

Chapter 5 will again show a very diverse picture of a politics of time. I will contend that the Spanish case does not prove the naturalness and universal applicability of the transitional justice time concept. First I will illustrate how TTC time is indeed applied in some exhumations, mainly of the ARMH. Then I will give some examples of how other actors in Spain, specifically some victims’ relatives and the Foro association, contest some of the aspects of TTC time, because they rather want to keep the mass graves as a useful reminder for the future or want to regenerate the struggle for the Republic and thereby apply other time concepts. Consequently, I describe how TTC time is constructed and disseminated through the exhumations. To this end, I depict how the exhumation movement uses mass graves, exhumations, and reburials as master metaphors for trauma, therapy, and closure; how it represents the victims through familial bonds and generational tropes; and how it involves all participants of the exhumations in a cathartic and therapeutic experience. The contesting regeneration time concept of the Foro is equally constructed, amongst other things by representing the dead as Republican combatants.

The Spanish memory movement is thus an ideal case for studying how some time concepts, such as that of international transitional justice, are disseminated on a local level, encountered, and contested. It also poses questions about the political implications of the time concepts to which transitional justice adheres.

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<sup>138</sup> François Hartog, *Régimes d’Historicité: Présentisme et expériences du temps* (Paris: Seuil, 2003).

<sup>139</sup> Koen Aerts and Berber Bevernage, “Haunting pasts: time and historicity as constructed by the Argentine Madres de Plaza de Mayo and radical Flemish nationalists,” *Social History* 34 (2009): 393.

## **A new representation of the Civil War past?**

In the concluding Chapter 6, I come back to my main question about what kind of representation of the past the exhumation movement in Spain constructs, and to what extent this entails a rupture with the memory politics installed by the transition. I first discuss the influence of the Spanish transition on the political meaning of the past in Spain and ‘politics’ in general. I will mainly focus on how the ‘pact of forgetting’ led to a fear of political conflict and an avoidance of political representation of the past.

In this chapter I review the effect of the exhumation movement on this situation by clustering the different ways the exhumation movement engages with the past into two categories. With the first category, ‘privileged representatives,’ I investigate how the exhumation associations claim whom the dead belong to or who can speak for them; with the second category, ‘privileged representation,’ how they represent the past. What prevails in the end in the Spanish exhumation movement after fifteen years of work: individual or collective representation of the dead, political or apolitical, commemorative or anti-systemic, private or public, through family or political bonds, human rights or politics? As outlined in the other chapters, there is a great diversity within the Spanish exhumation movement. However, I will try to identify some trends, focussing on the specific Spanish context but without losing sight of connections with the international realm.

I finally assess what the integration of the Spanish exhumation movement into human rights, transitional justice, and the international forensic turn -- with its focus on the revelation of objective truth -- means for the aim of the memory movement to break the politics of memory installed by the transition. I will discuss how this integration has helped but also limited the impact of the memory work of the exhumation associations.

This study of the Spanish case will show that the outcome of forensic truth can be very diverse, depending on how it is framed. If the exhumation movement aims for a second transition that closes the wounds of the victims of Francoism, it is not clear in what direction this second transition should go. The emancipatory effect of the ‘histories from the grave’ can vary with different representations of the dead in the mass graves. Therefore I will contend that the Torpey thesis about the depoliticizing effects of a turn to the past does not necessarily apply to all retrospective politics.

I will also reflect on the consequences of using the forensic turn as a frame of interpretation for scholars in search of emancipatory history. What are the consequences of this dominant idea that the past is revealed in the mass graves without any mediation? I will argue that, on the one hand, it has opened our eyes for possible transcendent experiences when confronted with death, that possibly influence how societies deal with a violent past. On the other hand, it obscures the politics of memory of which these encounters with the dead form a part. I will defend the hypothesis that,



depending on how the dead are represented and how their truth is mediated by contemporary memory activists, the political implications of these encounters can vary.

My study will ultimately confirm that the Spanish exhumation campaign does break Spain's pact of forgetting. This rupture is caused not merely by forensic truth, however, but also by pursuing acknowledgement, breaking the transition's regime of historicity, and creating a representation of the suffering of Republican victims. Moreover, I will contend that this new 'history from the grave' is very diverse, depending on different associations and local dynamics.

## Chapter 2 Method and cases: An ‘embedded historian’ in the Spanish exhumations

*“And today tengo que gritar (I have to scream) [she is moved, and lets her head hanging, shaking. With renewed courage from the applause, she continues:] “and denounce those academics of history who with their fallacies again desecrate the tombs of my parents and the many mass graves there are in Spain.” ‘El grito de Hilda’<sup>1</sup>*

### 2.1 Introduction

*“What seems to be the problem?” (Captain Hindsight)  
“It is that BP oil rig, Captain Hindsight!” (Worker)  
“What they should have done is installed a backup valve, in case that valve broke.” (C. Hindsight)  
“I believe they did install a backup safety valve, Captain Hindsight.” (Worker)  
“Hmm. Right. Then they should have had a backup safety valve to THAT backup safety valve!” (C. Hindsight)  
“My God he’s right!” (Worker)  
“My work here is done, I’m off to find others in need!” (C. Hindsight)*

“Oh look, a historian who is getting her hands dirty,” forensic doctor Francisco Etxeberría mocked when I began to help clear water from the mass grave. During the same exhumation he also joked, “what is the difference between a historian and a

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<sup>1</sup> Hilda Farfante, public speech, audio-recording, Puerta del Sol, Madrid, June 2, 2011.

forensic anthropologist? The former's camera is not dirty.”<sup>2</sup> His jokes were an expression of a pertinent concern of activists, victims and expert-practitioners: how may the social sciences and humanities contribute to the exhumation movement? Together with Francisco Ferrándiz, Etxeberria initiated the interdisciplinary project ‘Las políticas de la memoria’ to solve this question. At one of the project's conferences he called on the social anthropologists to take responsibility and make their own discipline-specific contribution, for instance by adding their reports to the forensic reports of the exhumations.<sup>3</sup> Also informants, like victims of Francoism, question the value of social sciences and humanities for the memory movement. Social and visual anthropologist Jorge Moreno, for instance, once had an informant, an older woman, ask him why he asked her all those questions, while she immediately added “I know why, *para que tu te saques adelante*” (to help you to advance). Another informant, a former republican aviator, asked him: “you, what did you do for the victory?”<sup>4</sup>

Especially with historians, the exhumation movement has a difficult relationship. Many historians in the Spanish memory movement – with leading contemporary historian Santos Juliá as main target – are accused of “corporatism,” because they “keep history to historians,” and of being too ‘distanced’ from the disappeared and their relatives. According to some in the memory movement, rather than helping the effort of civil society to rewrite Spain's history, historians “obstruct” it.<sup>5</sup> Many oral history projects in the wake of the exhumation movement are carried out by social anthropologists, not by historians. And to make the question of my own contribution even harder, I took off not as a historian contributing to the new history that the exhumation movement is trying to write but as a researcher in historical theory studying the exhumation movement itself.

This chapter discusses some of the methodological choices made, the risks they entailed and their added value for the research aims. I will take you on my journey through different sites and roles. This chapter testifies to the rocky road between my

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<sup>2</sup> Fieldnotes, exhumation La Mazorra, May 6, 2011.

<sup>3</sup> The project has a website where they share many reports and publications (accessed December 15, 2014, [www.laspoliticadela memoria.org/](http://www.laspoliticadela memoria.org/)). The forensic anthropologist expressed his concern most clearly at the conference ‘Below Ground: Contemporary mass grave exhumations from the Spanish Civil War (1936–1939),’ fieldnotes, CSIC, Madrid, June 29 – July 1, 2011.

<sup>4</sup> Jorge Moreno Andrés and Eduardo Diez Pombo (dir.), *Vuelo a Shangri-la* (Shangrilafilm, 2010), Documentary shortfilm, DVD, 29 min.

<sup>5</sup> Viçenc Navarro (political scientist) and Pablo Sánchez León (historian), public speeches, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010. Alejandro Rodríguez, one of the regular volunteers of the ARMH who is at the same time a historian doing research on the anti-Francoist resistanc, also stated that there is a “deficit in the Spanish historiography” because of the gap between history and memory in Spain. Alejandro Rodríguez (ARMH volunteer), interview during exhumation, video-recording by Sarah Vanagt, Chillón, November 3, 2011.

own expectations before fieldwork and the reality of the field. It is all, naturally, hindsight, since “despite all the myths about how research is done, it’s actually a messy process that’s cleaned up in the reporting of results.”<sup>6</sup> I discuss my methodology at length, hoping thereby to serve other scholars studying how history is experienced in society.

I first introduce the main thread in this chapter, which is a search for engaged history, inspired by anthropological literature. Subsequently I discuss the merit of an ethnographic approach in historical theory, thereby using the concepts of ‘the practical past’ and ‘history at work.’ Then I describe how I conducted multi-sited field research ‘embedded’ in the ARMH, and introduce all cases that will be used in the dissertation. In the last section I give an overview of the techniques of data collection that I used, such as participant observation, a technique sometimes confused with but very different from oral history projects with which historians are more familiar.

## 2.2 Engaged history

“No dejas institucionalizarte”

“Do not allow yourself to be institutionalized.”<sup>7</sup>

Both my initial theoretical questions about what kind of history the Spanish exhumation movement is constructing and the way in which I worked with the exhumation movement doing fieldwork fit into a more general search for engaged history. Following historian Michel de Certeau’s plea for looking at how science functions in society, it is important to explain my own position towards historical research, my own *lieu* so to speak. ‘Engaged’ history today is often confused with the booming field of ‘public’ history, the subdiscipline that is concerned with translating and messaging historiography to a non-academic audience.<sup>8</sup> In contrast to the field of anthropology that conducts more ‘engaged’ rather than ‘public’ anthropology,<sup>9</sup> for

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<sup>6</sup> Bernard Russel, *Research Methods in Anthropology. Qualitative and Quantitative Approaches* (Lanham: Altamira Press, 2006), 69, cited in Lieselotte Viaene, “Voices from the shadows. The Role of Cultural Contexts in Transitional Justice Processes. Maya Q’eqchi’ Perspectives from Post-Conflict Guatemala” (PhD diss., Ghent University, 2011), 79–80.

<sup>7</sup> Friendly advice from the vice-president of the ARMH, that I keep as a mental note (Marco González, on the way to the Columbianos exhumation, June 18, 2011).

<sup>8</sup> In my own research group ‘Meta- and Public History’ at Ghent University, this field is also emergent. See Instituut for Publieksgeschiedenis, accessed November 29, 2014, <http://www.ipg.ugent.be/>.

<sup>9</sup> Catherine Besteman, “Three reflections on public anthropology,” *Anthropology Today* 29 (2013): 4.

historians I see a trend where public history (in the form of exhibitions with visual representations, digital history, popularized books, etc.) is replacing the engaged history of the generation of the 1970s.<sup>10</sup> In the 1970s, many historians found an engagement in the ideological framework with which they analyzed the past, in new ways of constructing historical narratives, or in representing the subaltern. Unfortunately, public history, just as other 'public' disciplines, is all too often restricted to 'service,' driven by the demands of a commercialized heritage or memory sector rather than critical scholarship.<sup>11</sup> Public history projects are often popular but thereby tend to avoid controversy. I tend to define public history very broadly, however, as the variety of non-academic ways of engaging with the past, including memory practices such as commemorations. My research fits into this line of research in two ways. First of all, because I am investigating a 'creative' form of public history, in the form of mass grave exhumations carried out by civil society-actors in public. Second, because I did attempt to conduct some modest public history myself in the form of lectures in different settings and assistance to documentaries, which I elaborate upon in 2.5.

Engaged social science, according to anthropologist Thomas Hylland Eriksen, should be based on the liberating knowledge interest that Habermas attributed to the social sciences in the late 1960s. What Habermas wrote in the context of the student movement is all the more relevant in the current academic knowledge 'economy,' with its focus on instrumentality, measured by public management.<sup>12</sup> What differentiates engaged scholarship from public scholarship is with what it goes public.<sup>13</sup> While public science is mainly concerned with messaging, engaged science has a transformative orientation. I therefore wonder first what is 'engaged' about my way of practicing history, and second, what is 'historical' about my engagement.<sup>14</sup>

What is 'engaged' about my way of practicing history is a question that I would like to put on our research agenda. According to Besteman et al., engaged scholarship is practical, collaborative, emancipatory, and aimed at social transformation. It seeks to rupture the status quo by exposing the existing power differential and questioning dominant assumptions such as, in this study, norms about the 'proper' or 'natural' way to deal with the past.<sup>15</sup> As Besteman and Haugerud argue, "it is precisely the rareness of

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<sup>10</sup> See for instance the argument of Pieter Lagrou who sees an evolution in the discipline of history from "critical" to "complaisant." Pieter Lagrou, "De l'histoire du temps présent à l'histoire des autres: Comment une discipline critique devint complaisante," *Vingtième Siècle: Revue d'histoire* 118 (2013): 101-119.

<sup>11</sup> Catherine Besteman and Angelique Haugerud, "The desire for relevance," *Anthropology Today* 29 (2013): 1-2.

<sup>12</sup> Thomas Hylland Eriksen, "The Anansi position," *Anthropology Today* 29 (2013): 15.

<sup>13</sup> Besteman and Haugerud, "The desire for relevance," 2.

<sup>14</sup> This question is inspired on the question Catherine Besteman poses in a recent issue of *Anthropology Today* devoted to public and engaged anthropology. Besteman, "Public anthropology," 3.

<sup>15</sup> Besteman, "Public anthropology;"

informed public discussion of alternatives to dominant assumptions that can be harmful to the public good.”<sup>16</sup>

Engaged scholarship is also intentionally confrontational and value-driven.<sup>17</sup> Transitional justice studies, a field of scholarship where many researchers combine advocacy and scholarship, is equally value-driven in the sense that it disseminates best practices for countries in transition. However, these studies are often oriented at consensus and social engineering, and they deny the political struggle of which these norms are part of. Besteman and Haugerud refer to the public or “practical” political theory of James Tully to explain how in engaged research, norms are not removed from political conflict, and how the theorist is just one player in this dialogue. Value-driven does not mean that the researcher is always right but that he brings in a new perspective, a theoretical toolkit to problematize hegemonic practices and open up alternatives.<sup>18</sup>

A fresh and critical perspective can enrich a discussion “beyond caricature and conceptual poverty.”<sup>19</sup> This study therefore aspires to open up the debate in Spain that is locked between supporters of remembering on the one hand and advocates of forgetting on the other. To bring in a new perspective in the political arena of memory, I first identified the power relations between different ways of dealing with the past in Spain and between global memory cultures, national memory associations, and local communities. This analysis alone is already a new perspective, since the power differential can be variable according to each actor’s position. In this study, while on the Spanish national scale the organizations that use transitional justice practices compete against the status quo installed by the political elite during the transition, the global scale transitional justice network can be regarded as a dominant paradigm waiting for fundamental critique.

In Spain many academics, such as Francisco Ferrándiz, Carlos Agüero, Pablo Sánchez León, Ariel Jerez, and Julián Lopez García, have taken up the torch of engaged research, and they all served as examples. Expert practitioners as well face questions about engagement. Forensic doctor Francisco Etxeberria summarizes his position as “impartial, but not neutral.”<sup>20</sup> I have also tried, as an “engaged observer,”<sup>21</sup> to enrich the debate about human rights and memory in Spain.

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<sup>16</sup> Besteman and Haugerud, “The desire for relevance”, 2.

<sup>17</sup> Besteman, “Public anthropology,” 3.

<sup>18</sup> Ibid., 5.

<sup>19</sup> Francisco Ferrándiz, “Rapid response ethnographies in turbulent times: Researching mass grave exhumations in contemporary Spain,” *Anthropology Today* 29 (2013): 20; also see Eriksen, “Anansi,” 15–16.

<sup>20</sup> For instance in Francisco Etxeberria, public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

The second question that we are obliged to pose to ourselves is ‘what is ‘historical’ about my engagement?’ How do I, as a historian, contribute something different to support the work of others such as activists, journalists, or researchers from other disciplines?<sup>22</sup> Most studies so far about the Spanish exhumations are anthropological, with the monographs of Layla Renshaw and Francisco Ferrándiz being the most important contributions,<sup>23</sup> while I brought to the field the perspective of historical theory. My study is ‘historical’ in two ways. First, the historian’s gaze is very suitable for “countering normative assumptions about the way things are and ahistorical fundamentalist beliefs about the way things must be,” one of the characteristics of engaged scholarship, according to Besteman.<sup>24</sup> Second, this study is written from the perspective of historical theory.

Theorists of history study how people deal with the past, how the past is experienced, represented, etc. By being attentive to different ways of dealing with the past, studies such as these can contribute to the denaturalization of dominant memory practices. Showing that it has not always been like this, that it could have been different, can lay a theoretical base for action. Following Besteman and Haugerud,<sup>25</sup> I contend that historical theory should be historical practice and should dare to leave the academic limits of historiography and enter the political arena of memory politics. My search for engaged history required a reorientation in my trajectory as historian, which first of all took me to embark on fieldwork to study ‘history at work’ in the exhumations.

## 2.3 The practical past: Adding an ethnographic approach to historical theory

Although I am trained as a historian, I added the method of ethnography to my framework for several reasons, which I explain in this section. I wanted to renew and

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<sup>21</sup> Term from Victoria Sanford and Asale Angel-Ajani, eds., *Engaged Observer: Anthropology, advocacy, and activism* (New Brunswick: Rutgers University Press, 2008).

<sup>22</sup> This question is based on the question of Catherine Besteman about engaged anthropology. See Besteman, “Public anthropology,” 4.

<sup>23</sup> Layla Renshaw, *Exhuming Loss: Memory, Materiality, and Mass Graves of the Spanish Civil War* (Walnut Creek: Left Coast Press, 2011); Francisco Ferrándiz, *El pasado bajo tierra: Exhumaciones contemporáneas de la Guerra Civil* (Barcelona: Anthropos, 2014).

<sup>24</sup> Besteman, “Public anthropology,” 5.

<sup>25</sup> Besteman and Haugerud, “The desire for relevance,” 2.

contribute to current debates in historical theory and memory studies. Furthermore, it offered some opportunities in my search for engaged research.

At the inaugural conference of the 'International Network for Theory of History' in Ghent, July 2013, where theorists of history gathered to discuss the future of their discipline, a feeling prevailed that historiography was becoming obsolete. Many historians felt that historiography has lost its emancipatory political role. In my view this feeling originated from a limited definition of history as academic historiography. Outside of academia, social interest in history is booming, and dynamic social and political movements have history as their main sphere of action. Although some historians in Spain would also like to limit history to historians and history books, "history is much more," as one of the intellectuals of the memory movement noted at the commemoration of the first exhumation in 2000.<sup>26</sup> History does matter, maybe even more for non-historians than for historians, with their distanced gaze on the past. Moreover, the ivory tower is part of society: "*L'histoire fait partie de la 'réalité' dont elle traite,*" as De Certeau already claimed in 1975.<sup>27</sup> Indeed, historical thinking, as developed by professional historians, is used in society in a variety of performative ways,<sup>28</sup> so historians have a duty to reflect on how 'history works' and how memory practices resonate in society. De Certeau's advice goes further, saying "*avant de savoir ce que l'histoire dit d'une société, il importe donc d'analyser comment elle y fonctionne,*"<sup>29</sup> and that is exactly what I went to do in Spain, viz., investigate how the exhumations 'work' and construct memory.

Historical theory can be vital, if it turns to social practices of dealing with the past, such as documentaries, commemorations, re-enactments, etc., if it investigates 'history in action.' Rather than studying schools of historiography or successive "regimes of historicity" in the history of civilizations, this study investigates how history is experienced and moulded in society and how history is the subject of conflict within the political arena of one society, community, or generation.<sup>30</sup>

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<sup>26</sup> Viçenc Navarro, public lecture, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010.

<sup>27</sup> Michel de Certeau, *L'écriture de l'histoire* (Paris: Editions Gallimard, 1975), part 1, chapter 2.

<sup>28</sup> Antoon De Baets gives an overview of the many ways of use and disabuse of history, in *Responsible History* (New York: Berghahn Books, 2009); Berber Bevernage demonstrated that historical discourse and time concepts are used in strategies of transitional justice, and more concretely in truth and reconciliation commissions, in Berber Bevernage, *History, Memory, and State-Sponsored Violence: Time and Justice* (New York: Routledge, 2011).

<sup>29</sup> Michel de Certeau, *L'écriture de l'histoire* (Paris: Editions Gallimard, 1975), s.p.

<sup>30</sup> I here use the concept of François Hartog "regime of historicity," that he introduced to refer to the manner in which cultures or civilizations related to the temporal dimensions of past, present and future, in the same way as Berber Bevernage and Koen Aerts used it: to investigate political conflicts within contested nations over how to relate to the past. See François Hartog, *Régimes d'historicité: Présentisme et expériences du temps*



The method applied depends on the nature of the memory practice under study. Memory, in contrast to history with its written sources and input, “takes root in the concrete, in spaces, gestures, images, and objects.”<sup>31</sup> If I wanted to study the exhumations as a memory practice, I needed to adapt my method to study a practice that is transient and goes beyond the usual textual or visual sources of the historian. An exhumation is a performance, unfolding in the moment. Different from finished ‘products of memory’ such as literature, film, and monuments, memory is *made* in the exhumation with discourse *and* action (*discurso y cursu*) and also in interaction among many stakeholders. To observe this memory ‘at work,’ I had to be present, and I needed a method to study dynamic and performative aspects of memory practices. In the absence of univocal methodological guidelines in memory studies,<sup>32</sup> I turned to ethnography, a discipline with a pedigree in studying performances, rituals (including death rituals), and other practices of dealing with the past.

A second reason for adding an ethnographic approach was that in memory studies as well as in historical theory and the study of transitional justice, the three fields that this study crosses, academics are increasingly concerned with how local actors encounter certain transitional justice practices.<sup>33</sup> Transitional justice has also obtained a dominant position in many societies,<sup>34</sup> which makes it urgent to examine how this memory practice is disseminated. Sznajder and Baer already studied the connection between global politics of memory and Spanish memory politics. My contribution adds the connection between the exhumation movement and local communities, by tracing this

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(Paris: Seuil, 2003); Koen Aerts and Berber Bevernage, “Haunting pasts: time and historicity as constructed by the Argentine Madres de Plaza de Mayo and radical Flemish nationalists,” *Social History* 34 (2009): 393.

<sup>31</sup> Pierre Nora, “Between Memory and History: Les Lieux de Mémoire,” *Representations* 26 (1989): 9.

<sup>32</sup> Wulf Kansteiner pointed to the problem that the “memory wave in the humanities [...] has not been accompanied by significant conceptual and methodological advances in the research of collective memory processes.” See: Wulf Kansteiner, “Finding Meaning in Memory: A Methodological Critique of Collective Memory Studies,” *History and Theory* 41 (2002): 179.

<sup>33</sup> See, for instance, Rosalind Shaw, “Memory Frictions: Localizing the Truth and Reconciliation Commission in Sierra Leone,” *The International Journal of Transitional Justice*, 1 (2007); Viaene, “Voices from the shadows;” and Kimberly Theidon, “Justice in transition: The micropolitics of reconciliation in postwar Peru,” *Journal of Conflict Resolution* 50 (2006). For studies of memory practices more general than transitional justice as well, Kansteiner’s for instance proposes, as a solution for the methodological shortcomings in studies of collective memory, a focus on how specific strategies of representation are received. See: Kansteiner, “Finding Meaning in Memory,” 179.

<sup>34</sup> Stephanie Golob speaks of a “transitional justice culture,” in: Stephanie Golob, “Evolution or Revolution? Transitional Justice Culture Across Borders” (working paper, number 3, Instituto de Políticas y Bienes Públicos (IPP), CCHS-CSIC, 2010).

connection, in the field, in the footsteps of the ARMH, to the most remote villages.<sup>35</sup> Ethnography provided the necessary tools to give my enterprise a sound empirical foundation. Hence, the discussion of my methodological choices in the following sections might be relevant for other scholars.

Ethnography in this project proved its potential to be unpredictable and to break through polarizing discourses.<sup>36</sup> Fieldwork revealed that many black and white categories from transitional justice literature and media coverage of the exhumations did not always fit the complex realities in the field. The feeling that many visitors to the exhumations share, that ‘one has to be there’ to understand the impact of the exhumations,<sup>37</sup> also counted for this project. Fieldwork brought me into the “grey zone.”<sup>38</sup> Multi-sited fieldwork revealed a great diversity of perspectives even within the exhumation movement. As such, my fieldwork countered many academic and popular accounts that depict the ARMH solely as a grass-roots movement that represents all victims and local communities.<sup>39</sup> This observation urged me to focus on frictions and interactions between different levels of involved groups throughout this study.

The last reason why I added an ethnographic approach to this project was because it offers opportunities for engaged research. Anthropology has longstanding debates about ethics, especially about obligations to the people under study, in the form of dialogue, reciprocity, accountability, and knowledge dissemination.<sup>40</sup> Different from historians, anthropologists often study their contemporaries, who play an active part in the way they are represented. The next section describes some of the research, deontological, and communicative skills necessary for this kind of engaged project.<sup>41</sup>

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<sup>35</sup> For a discussion of transnational exchanges of memory practices from European Holocaust memory, over Argentinean memorial politics to Spain, see Natan Sznaider and Alejandro Baer, “Del Holocausto a las Fosas de Franco,” (forthcoming). My fieldwork adds the level of the local communities to this discussion.

<sup>36</sup> Eriksen, “Anansi,” 17.

<sup>37</sup> One visitor in the exhumation of Puebla de don Rodrigo for instance said he had known what had happened to the victims in the grave, “but seeing it was different,” and the ARMH volunteers described how their own family understands the exhumation work much better since they have visited an exhumation. E.g. Alejandro Rodríguez (ARMH volunteer), interview during exhumation, video-recording by Sarah Vanagt, November 3, 2011.

<sup>38</sup> Kimberly Theidon, cited in Viaene, “Voices from the Shadows,” 67.

<sup>39</sup> Francisco Ferrándiz for instance depicts the exhumation associations as “grassroots.” See Francisco Ferrándiz, “The return of Civil War ghosts: The ethnography of exhumations in contemporary Spain,” *Anthropology Today* 22 (2006).

<sup>40</sup> Besteman and Haugerud, “The desire for relevance,” 1.

<sup>41</sup> Ferrándiz argues that these kinds of skills should become part of the usual training of anthropologists: Ferrándiz, “Rapid response ethnographies,” 22.

## 2.4 From pit to pit with the ARMH: Multi-sited ethnographic research

### 2.4.1 Practical and epistemological questions

If I wanted to observe ‘history in action,’ I had to find the ‘memory activists,’<sup>42</sup> and if I wanted to see how ‘memory was made,’ I had to get to the “memory makers.”<sup>43</sup> Therefore I chose to follow the national exhumation team of the ‘Asociación para la Recuperación de la Memoria Histórica,’ the ARMH. The ARMH is a nationwide movement that attracts more than 1,000 volunteers and more than 500 paying members and is mentioned frequently in the media. Only Aranzadi has performed more exhumations, but the two organizations work closely together, both in exhumations and in other activities such as seminars. The choice to study the ARMH exhumations (rather than, e.g., Foro exhumations or a rare Nationalist exhumation)<sup>44</sup> was thus practical, since it offered many opportunities to attend exhumations and, at the same time, was representative, since the ARMH represents a major part of the Spanish memory movement in terms of quantity of exhumations, stability over the years, and number of members and volunteers.<sup>45</sup> Moreover, because of their informal character, the ARMH exhumations are emblematic cases to investigate the specificity of the Spanish grassroots and unofficial exhumations, in comparison to the more officially regulated exhumations in leading countries in forensic anthropology such as Argentina and Bosnia.<sup>46</sup>

Following the ARMH started as a spontaneous collaboration. The night of May 17, 2010, a message from Emilio Silva popped up in my Facebook chatbox, inviting me to

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<sup>42</sup> “Memory activist” is a term from the historian Carol Gluck. Cited in Jay Winter, “Representations of War and the Social Construction of Silence,” in *Fighting words and images: Representing war across the disciplines*, ed. Stephan Jaeger et al. (Toronto: University of Toronto Press, 2010), 34.

<sup>43</sup> Term borrowed from Kansteiner, “Meaning in Memory,” 179.

<sup>44</sup> Francisco Ferrándiz, who lives in Spain and has observed the exhumations for more than ten years now, has investigated an exhumation of Nationalist victims, performed by Aranzadi in Camuñas (province of Toledo), and several Foro exhumations. It would have taken more time and planning to attend these rather rare exhumations, and a different strategy to gain trust in these other networks.

<sup>45</sup> It should be reminded however that the associative landscape of the memory movement in Spain is so fragmented, that the memory associations are very small organizations, led by only a handful of persons. The national ARMH exhumation team ‘compensates’ this with an endless commitment of its members, with its mobility, and with the fact that its leaders are well connected nationally and internationally.

<sup>46</sup> On sampling and representativeness in qualitative research, see Giampietro Gobo, “Sampling, representativeness and generalizability”, in *Qualitative Research Practice*, ed. Clive Seale et al. (Los Angeles, London: Sage Publications, 2007), 405–426.

join social anthropologist Francisco Ferrándiz on his visit to an ARMH exhumation the next morning in Candeleda, 200 km west of Madrid. By November 2010, the ARMH vice-president invited me to participate, from the first day of the search until the end, in an exhumation that started just two days later. The ARMH had not yet established a fixed collaboration with a team of social anthropologists, as Aranzadi had with Francisco Ferrándiz,<sup>47</sup> and they were open to a continuous collaboration with external researchers. After I joined in 2010, social anthropologist Jonah Rubin, who would become my *companion de route* on many fieldtrips, came to work with the same team in 2011. Throughout my fieldwork period, masters students in history and the political sciences also attended the exhumations and the laboratory. We agreed on how I could collaborate without interfering with the ARMH's work. We both used Francisco Ferrándiz's work as an example. This means talking to all people involved in an exhumation, observing at the grave site, and recording videos and photos.<sup>48</sup>

The ARMH is proud to have been very transparent to external students and researchers since its beginnings. They appeal to all kinds of volunteers, such as foreign forensic anthropologists to carry out the lab research and write the reports voluntarily and to one historian who combines volunteering in the exhumations with his historical research on the *maquis* (resistance-fighters). The ARMH was very hospitable and immersed me in the team and its work. We had a continuous and open dialogue about mutual expectations that would continue throughout my research. Reciprocity from my side included giving them a hand with the archaeological work, sharing my data and results, and being an extension of the team outside the grave, offering a listening ear and informing visitors and relatives. The team trusted me and gave me the freedom to conduct participant observation, which meant that I could participate as a volunteer archaeologist in the mass grave, live with the team as their guest, and at the same time interview participants and observe the whole process, including the work and discourse of the ARMH itself. We built up a very good rapport. I tried to be transparent about my observation role, for instance by taking notes on the spot and walking around with my recording device visibly around my neck. When the team disagreed with the way I worked, we talked it over to find a work method that suited us all. Especially in the last exhumation case of my field study, where I was the contact person between the villagers, the ARMH, two Belgian filmmakers, and where other researchers came to visit, I often had to consult with the ARMH team, for instance to ensure that the Belgian filmmakers would not disturb the archaeological work while filming or to discuss some

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<sup>47</sup> See the previously mentioned interdisciplinary project "Las políticas de la memoria," accessed December 15, 2014, [www.laspoliticadela memoria.org](http://www.laspoliticadela memoria.org).

<sup>48</sup> Two of Ferrándiz' articles sum up nicely his methodological reflexions and practices since the start of his engagement with the exhumation movement: "Civil War ghosts;" and "Rapid response ethnographies."

disagreements about how researchers external to the ARMH should treat relatives during interviews.

Together with Ferrándiz and junior researchers such as Jonah Rubin, I became one of the “outsiders within.”<sup>49</sup> My opinion was often asked (*qué opinas tú*), because many of my informants, such as journalists or villagers, perceived outsiders as “less contaminated” by politics or family histories.<sup>50</sup>

Following the ARMH core team in their exhumations was also a pragmatic solution to problems of planning and access. Since it was difficult to predict where and when exhumations would take place in the context of the very mobile and dynamic memory movement, studying different cases and sites seemed a more feasible option than studying one particular site or region. The trustful relation I was able to build with the ARMH also offered a solution to the problem, as an outsider, a foreigner, and historian rather than an anthropologist or Hispanist, of gaining access to the local communities. Blending in with the ARMH and getting to know the local communities in the context of an ongoing or upcoming exhumation seemed less intrusive than showing up at the doorstep of victim’s relatives without having previous local contacts. I therefore always gained access through “gatekeepers,” people who can open up access to a certain community.<sup>51</sup> My contacts included, next to the ARMH core team, ARMH collaborators from the villages, local anthropologist Jorge Moreno, and a local historian who was related to a Republican victim. I never entered the homes of local informants such as victims’ relatives on my own but appealed to these gatekeepers in order to get to know the sensitivities of the subject, how to communicate in someone’s home, customs of gender and dealing with elders, etcetera.

By following the ARMH, I adopted one of the most conventional mapping strategies of multi-sited field research. Multi-sited ethnographers define their objects of study by tracking connections among different settings and construct their multi-sited space through both planned and opportunistic movement. Hereby they follow initial questions and concepts, but these inevitably turn out to be “contingent and malleable as one traces it.”<sup>52</sup> One of the most obvious strategies of constructing a multi-sited ethnographic space is to “follow the people”: following and staying with a particular

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<sup>49</sup> Term borrowed from Lieselotte Viaene, “*Voices from the Shadows*,” 77.

<sup>50</sup> Conversation with Diego Barcala (journalist of Público), fieldnotes, Rondas de Sol, Madrid, May 20, 2010; Conversations during exhumation, fieldnotes, Oropesa, November 2010.

<sup>51</sup> Concept explained in Martyn Hammersley and Paul Atkinson, *Ethnography. Principles in Practice. Thrid Edition* (London: Routledge, 2007), 49–53. Cited in: Viaene, “*Voices from the Shadows*,” 79.

<sup>52</sup> In his 1995 review on the emergence of multi-sited ethnography, George Marcus describes how ethnographers define their objects of study through different strategies: George Marcus, “Ethnography in/of the world system: The Emergence of Multi-Sited Ethnography,” *Annual Revue of Anthropology* 24 (1995): 105–113.

group of initial subjects, in my case the exhumation movement.<sup>53</sup> Following the ARMH mobile exhumation unit, I travelled with them to the villages they frequented for their exhumations. I halted with them in every village for the course of an exhumation, returned in most cases for the reburial or, perhaps, an explanatory evening about the exhumation. I often ended up in the same confined space of one village, and even the space surrounding one mass grave, one cemetery, with the ARMH, for some days up to three weeks. But even if I stayed most of the time in the confined space of the mass grave, as Marcus describes for “fore-shortened multi-sited fieldwork,” my research was still only local “circumstantially,” since I was always attentive to the interaction between a myriad of actors that concentrated in the small period and space of a mass grave exhumation.<sup>54</sup>

Multi-sited fieldwork holds some epistemological challenges in comparison to traditional ethnographic fieldwork that was usually conducted at one site of analysis. First of all, multi-sited fieldwork lacks the “thick” local data gathered through a long stay in one small community, when one gets to know the local context and language better.<sup>55</sup> Since I did not study one case diachronically, my research does not exhaustively cover the perspective of the local communities or the whole life(s) or meaning(s) of the mass grave bodies as they go through violence, burial, exhumation, reburial, etc.<sup>56</sup> Second, there was always the risk of seeing the exhumations and memory debate through the ARMH’s eyes. I gained access to press and other additional sources through the social media used by the ARMH and used its reports. Even when I started to focus on the encounter between the ARMH and other actors in the memory field, I always experienced these encounters from inside the ARMH, rather than from inside the Foro, the state, the villages, opponents of the exhumations, international transitional justice organizations, etc. The recruitment of my informants started from the mass grave as well, from which I worked my way out. From doing archaeological tasks inside the grave with the skeletons, I started to approach all people involved in the exhumation, expanding my network to ever-bigger concentric social circles around the mass grave. I worked with ARMH professionals and volunteers with different

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<sup>53</sup> Marcus, “Multi-Sited Ethnography,” 105–106.

<sup>54</sup> Marcus, “Multi-Sited Ethnography,” 110–11.

<sup>55</sup> Gillian Mathys. “People on the move: Frontiers, borders, mobility and history in the Lake Kivu region, 19th–20 century” (PhD diss., Ghent University, 2014), 31.

<sup>56</sup> Social anthropologists like Layla Renshaw, Jorge Moreno, Zahira Araguete and Rachel Ceasar specifically focus on the local or regional level; in the case of Moreno and Araguete their home region. See e.g. Layla Renshaw, *Exhuming loss: Memory, materiality and mass graves of the Spanish Civil War* (Walnut Creek: Left Coast Press, 2011); Francisco Ferrándiz’ work, with more than ten years experience in the Spanish exhumation movement, offers on his turn a diachronic perspective. See e.g. Francisco Ferrándiz, “Exhuming the defeated: Civil War mass graves in 21st-century Spain,” *American Ethnologist* 40 (2013): 38–54.

professional backgrounds, victims' relatives, people from the village, local politicians, press, etc. Although this way I was able to include the perspective of different subsets of people involved (also called "quota sampling"), my recruitment of informants depended on my starting point, which was the ARMH exhumation. Indeed, I met most of my informants through "snowball sampling" (finding informants through recommendations of other informants), which means that my network was often limited to the network that was formed around the mass grave.<sup>57</sup>

Gradually, however, this at-first-sight "patchwork" methodology<sup>58</sup> started to reveal what would become my main research object. I realized that multi-sited fieldwork embedded in the ARMH resulted in "thick data" on, first of all, a memory organization such as the ARMH and its 'mobile' reality itself; and second, on the encounters, connections, and frictions between the ARMH and the other actors in the memory field. Indeed, the Spanish exhumations, with their non-regulated and participatory character, are sites where different groups, with different ideas and practices on how to deal with the past, meet. The multitude of actors involved in the exhumation movement makes it difficult to situate them, but it has the advantage that one can observe the encounter between different national exhumation associations, local communities, professional forensic anthropologists with international experience, volunteers, international experts on human rights, historians, and state representatives. The exhumations are a memory practice encompassing a social movement campaigning from New York, Geneva, Brussels, and Madrid to the remotest villages; a memory practice that deals with familial graves and intimate memories that are to the utmost shared within the family circle but that at the same time addresses public policies such as monuments and street names. The exhumations link up different sites and spheres: private and public, urban and rural, young and old, amateur and professional, political and apolitical, local and global, past ('or passed,' see chapter five) and present.

The method of multi-sited ethnography is apt for observing 'objects' that cut across these dichotomies. The method emerged in the 1980s, within new spheres of interdisciplinary work, to study new objects in the context of globalization: flows of global phenomena, circulating ideas, practices, and identities, interactions and encounters. A multi-sited approach was suited to study the connections between the

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<sup>57</sup> On different kinds of sampling and recruiting informants in qualitative research: Gobo, "Sampling," 405–426; Tim Rapley, "Interviews," in *Qualitative Research Practice*, ed. Clive Seale et al. (Los Angeles, London: Sage Publications, 2007), 15–33.

<sup>58</sup> Term from Anna Lowenhaupt Tsing, *Friction: An Ethnography of Global Connection* (Princeton and Oxford: Princeton University Press, 2005), x.

local and the global and the ‘creative friction’ that is generated by this diversity.<sup>59</sup> Globally mobile phenomena, such as transitional justice practices, encompass translocal processes, connections, and contrasts that “cannot be accounted for ethnographically by remaining focused on a single site of investigation” but that need to be traced across different places.<sup>60</sup> As is illustrated in Anna Tsing’s influential work on the globalized fight over the Indonesian rainforest, these zones of friction are transient.

The result of my research may thus not be a classical ethnography, but it is nonetheless deeply ethnographic because it is informed by the ethnographers’ surprises and experiences. As Tsing notes, “it is impossible to gain a full ethnographic appreciation of every social group that forms a connection in a global chain.”<sup>61</sup> Therefore, this is an account of the connection, the chain of encounters between different groups and levels that engage with the exhumations in Spain.

Observing the ARMH in its encounters with other actors on its trajectory in the memory field gradually revealed that, although the ARMH is usually perceived as a bottom-up organization, fighting opposition from above (the state and the conservative Spanish establishment), it actually functions on an intermediate level. I deducted three clusters of stakeholders that met each other through the ARMH in the exhumations: a global memory culture of transitional justice (macro); an intermediate, national level of (often urban and young) memory associations (meso); and local, rural communities (micro). The ARMH is in direct contact with international human rights organizations, but also creates intense and long-lasting relationships with relatives and activists in the villages.

The last exhumation I attended was the definite eye-opener for the frictions between these three levels. There, in Chillón, I entered the house of Agustín García, son of one of the victims, ten days before the exhumation was to start, and discovered that his family did not agree with the exhumation. But also in a previous exhumation, in Puebla de don Rodrigo, I had noticed how the ARMH should be differentiated from the locals and victims’ relatives. When a woman suddenly asked, during a camera interview, who we were and added, “you are those of the rivers and trees, right? The ones that care for the environment?” I understood all the more clearly how the ARMH members were outsiders to the villagers.

Paying attention to the interactions between the ARMH and victims’ families and villagers, I learned how the perspective of the victims’ relatives is not always the same

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<sup>59</sup> For discussions on the contribution of engaged and multi-sited ethnography to the study of flows and frictions that circulate between different sites, see: Marcus, “Multi-Sited Ethnography,” 95; Besteman, “Public anthropology,” 5; Tsing, *Friction*, ix.

<sup>60</sup> Viaene, “Voices from the Shadows,” 73; Mathys, “On the move,” 20.

<sup>61</sup> Tsing, *Friction*, x.



as the perspective of the social movement that claims to represent them. While this insight is, of course, the premise of much scholarship on transitional justice from below, my contribution lies not in offering ‘the victims’ perspective’ but in explaining how memory activists navigate between different ways of dealing with the past, from above and from below, from victims to state institutions and international human rights organizations. One of the main motivations of transitional justice researchers such as Rosalind Shaw to investigate transitional justice from a local, victims’ perspective is that the local voice is often mistakenly equated with the voice of NGOs that claim to speak for all victims. Lieselotte Viaene, for instance, warns that working with NGOs as ‘gatekeepers’ can prevent us from listening to the victims “on their own terms” because NGO’s “reshape” “people’s opinions and meanings.”<sup>62</sup> But while our premises are the same, our research objects differ: while Viaene discussed NGOs as gatekeepers to her research object, the local communities, I studied the NGO itself as a research subject. I study the problem that Shaw formulates, namely, how human rights organizations represent victims of the past and how certain representatives are privileged in comparison to others. This study is neither transitional justice from above nor from below; it is a study of the connections between both.

Focusing on moments of friction – which sometimes means tension – is not meant to damage the memory movement. On the contrary, according to Catherine Besteman, “remaining attentive to cracks in the armour” is a strategy of engaged anthropology “to introduce new ideas in public arenas.” It keeps alternatives to dominant practices and assumptions in play and thus gives a chance to rupture a status quo and effect change.<sup>63</sup> However, this attentiveness to frictions within the Spanish memory field entailed a challenge for the trust established between the exhumation movement and myself as a researcher.

#### 2.4.2 Embedded ‘*hasta la cocina*’: Relations in the field

Multi-sited fieldwork in the wake of a social movement holds many challenges compared to classical fieldwork.<sup>64</sup> I needed to develop reflexive skills on top of the more typically critical skills of the historian. Engaged ethnographers must consider ethical issues such as trust of, obligations to, and rights of informants, especially in relation to

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<sup>62</sup> Lieselotte Viaene, “Voices from the shadows,” 79–80.

<sup>63</sup> Besteman, “Public anthropology,” 5.

<sup>64</sup> Lieselotte Viaene, “Voices from the shadows,” 79–80.

the sensitive research topic and the vulnerability of the Spanish memory movement and the Republican families in Spain.<sup>65</sup>

This reflexivity was needed, since I became ‘embedded’ in the mobile reality of the ARMH. After gaining access to its organization, I started to live the exhumations through the ARMH experience. We travelled together, shared meals, rooms, joy and suffering when talking to relatives and working in the pits. Online as well, we became increasingly connected. Multi-sited researchers indeed live the feminist slogan of the private being public or political:<sup>66</sup> These friendships enhanced a deeper understanding and collaboration, and were the materialization of the fact that, although I had a different role in the memory movement as a scholar, we were *en la misma barca*, in the same boat. However, this inclusion of all researchers by the ARMH in its social movement engenders a relationship in which every step needs to be taken with great care.

First of all, any engaged scholar looks for reciprocal work with all parties involved.<sup>67</sup> A social movement in which volunteers invest much effort to confront harsh conditions and opposition, naturally has some expectations of collaborating researchers. Indeed, the Spanish associations ally with activist scholars. Given the fragmented nature of the memory movement, these researchers soon clustered into “pools of intellectuals” of the different associations.<sup>68</sup>

After a while, the expectations of the Spanish memory associations became clear to me: they expected, first, that I would collaborate during exhumations, in or around the mass grave; second, that I would share my research data and results with them; and third, that my research would spread their work in other circles, in the first place the Belgian and international academic sphere (and the artistic sphere as well, once I helped in making the film ‘The Wave’<sup>69</sup>). Indeed, the ARMH often stressed how their collaborations with foreign researchers helped to disseminate their message outside Spain (*hacer divulgación*) and, at the same time, increased their legitimacy in their own country.

Second, I had to watch out for “going native” into the ARMH.<sup>70</sup> I never risked going fully “native” in the villages, since I never stayed longer than a couple of weeks and my

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<sup>65</sup> Besteman, “Public anthropology,” 4–5; Jun Li, “Ethical Challenges in Participant Observation: A Reflection on Ethnographic Fieldwork,” *The Qualitative Report* 13 (1), 2008: 100–115.

<sup>66</sup> Marcus, “Multi-Sited Ethnography,” 113.

<sup>67</sup> Besteman and Haugerud, “The desire for relevance,” 2.

<sup>68</sup> Ferrándiz, “Rapid response ethnographies,” 20.

<sup>69</sup> See Appendix: Sarah Vanagt and Katrien Vermeire (dir.), *The Wave*, 2012, 20min., in *Dust Breeding/The Wave*, eds. Sarah Vanagt and Katrien Vermeire (Brussels: Balthasar, 2014), DVD.

<sup>70</sup> “Going native” is used to describe the process when the ethnographer “[abandones] the “researcher perspective and [adopts] the views of the actors in the setting.” In: Sara Delamont, “Ethnography and

‘otherness’ (being younger, taller, and fairer than most of the villagers) was never overcome. However, after some time in which I got to know the Spanish context and language through the eyes of the exhumation movement, I noticed I had unconsciously incorporated both local and ARMH terminology and concepts (such as ‘proper’ burial) into my own language. Being embedded had many advantages (such as learning about the inner workings and discourse of the ARMH), but, as is the case with embedded journalism, it also entailed some risks. I followed Ferrándiz’s device that scholars have an “ethical responsibility” to be “swallowed up” by their research topic, “if critically and reflexively.”<sup>71</sup>

Due to the constant mobility of a multi-sited fieldworker, one ends up in very different sites and situations and adopts different roles. The memory associations and I went through constantly shifting affiliations. Moving between public and private, internal and external, academic and rural spheres, my identity went from tourist, history student, archaeologist assistant, mediator between families and the ARMH, camerawoman, photographer, production assistant for documentaries, to friend, shoulder to cry on, nice girl to talk to, peer, expert, volunteer, etc. Some expected me to explain the exhumations to the villagers or to comfort victim’s relatives, and as foreign researcher I helped to legitimize the exhumation movement. I often felt bad ‘prying’ into things that for my informants were often ultimately private affairs, and frequently I just wanted to support and embrace them and leave my questions at the university. I encountered discourses that overlapped my own, which, as Marcus describes, causes ambivalent identifications between fieldworker and interlocutors and reconfigures any method that “presumes a perspective from above.”<sup>72</sup> I often had to recall to myself and others that, at that moment, I was a researcher rather than an activist or a social worker.

Working embedded in an NGO thus created an interdependent and frequently changing relationship, which called for constant awareness and reflexivity. Given the volatility and mobility of the exhumation teams, and the politically explosive context in which they work, this reflexivity needed to be “circumstantial”<sup>73</sup> and “rapid response.”<sup>74</sup> It called for situationally solving relational problems before (access), during (trust, provocation, reciprocity), and after (exit, provocation, trust, reciprocity) fieldwork. In what follows I give two examples of this circumstantial and rapid response reflexivity.

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participant observation,” in *Qualitative Research Practice*, ed. Clive Seale et al. (Los Angeles, London: Sage Publications, 2007), 205–217.

<sup>71</sup> Ferrándiz, “Rapid response ethnographies,” 20.

<sup>72</sup> Marcus, “Multi-Sited Ethnography,” 112.

<sup>73</sup> Marcus, “Multi-Sited Ethnography,” 113.

<sup>74</sup> Ferrándiz, “Rapid response ethnographies,” 19.

The first example comes from the ARMH exhumation in the village of Chillón, the last and most important case of my fieldwork study. There, I found myself in the middle of a conflict between different families, local historians and politicians, and the ARMH exhumation team. My embeddedness in the ARMH held the risk of seeing all encounters from its viewpoint. Although working with the exhumation teams was crucial to get access to the victims' relatives and other informants involved in the exhumations, just as any other way of entering the field, it frames and restricts your experience, and in my case, my relationship with the exhumation teams would become a main challenge. Many informants got to know me through the exhumation movement, and I depended on the ARMH for trust and legitimacy in the villages. Following the ARMH, only staying in a village to exhume a grave, my status of outsider and the trust I could gain locally depended on the ARMH. The ARMH often presented me to new informants as being part of its memory campaign, and in some interviews the words of my informants. Many locals did not differentiate between the ARMH, other memory organizations (they were all "los de la memoria histórica"), and the researchers working with them. This dependency went both ways: if the ARMH members were trusted by the village, I gained trust along with them; and if I did, their legitimacy increased due to my relation with the villagers. I had to watch out for losing the overview. I started to realize that I had less access and trust with people who opposed or stayed out of the memory or exhumation movement, of other memory associations, and that I could be missing some unspoken tensions between the ARMH team and locals.

I had to employ a lot of time and social skills in order to build a trustful relation with villagers, relatives, or other associations independently of the team, without provoking or challenging the trust the team had invested in me. My relationship with the Foro, for instance, remained determined by my relationship with the ARMH. In the first exhumations I attended, where the Foro was involved, I did not try to approach them yet, and when the ARMH and the Belgian Foro organized an exposition together in Brussels in 2013, I had contact with both parties but at one point chose not to present an article of mine that could have benefitted the Foro, in order not to provoke the ARMH. Whenever my actions caused problems for people, we talked it through, because the ARMH knew that many people saw me as part of its organization. My relationship with locals who did not agree with the exhumation, or descendants of people supporting the Francoist regime and its repression, was also limited. Only in Chillón, once my relationship with the ARMH and relatives was stable, did I conduct interviews with some descendants of Francoists, but since it was spread throughout town that I 'was with' the exhumation team, my rapport with this part of the local community remained very superficial.

To get to know perspectives other than the ARMH's, I increasingly left the immediate environment of the exhumation during the exhumation. By the time of the last exhumation case, I entered the village ten days before the exhumation team, to get a

chance to meet informants without the ARMH as gatekeeper. When I entered the first house together with colleague anthropologist Jorge Moreno, Agustín García, a son of one of the victims, asked us: “Have you come to ask permission for the exhumation”? He and his family explicitly opposed the exhumation. We decided to inform the ARMH of this problem so that they were prepared for the town meeting they would hold on the first day of the digging. I became a mediator between the ARMH and that family, a position both parties used, for instance to get information or probe the other’s intentions and opinions. Throughout the whole exhumation process, I had to navigate between the trust that both the ARMH and the families invested in me, which was a constant exercise in transparency from my account. If I had not stepped through Agustín’s door that day, I might never have fully grasped the differences in ways of dealing with the Civil War past in Chillón.

The second example was when, after leaving the field, I took a new step in my relationship with the exhumation movement that damaged their trust. When I started to develop independent and new perspectives, new conflicts arose. In particular, the publication of an article that was co-authored by a colleague from my doctoral guidance committee caused reactions from members of the ARMH and its related scholars.<sup>75</sup> The reactions involved intellectual critique of the article’s main argument that the ARMH naturalized transitional justice’s ‘trauma-therapy-closure’ time concept, but some were also very personal (as had been my relationship with the exhumation movement). Some leaders of the exhumation movement stated that the article misrepresented the work of the ARMH and that they felt violated in their trust. This was so because what Marcus writes about how ethnographers really live the feminist slogan of the personal being political counts even more for the ARMH activists, who “sidetracked many personal projects” to travel from pit to pit.<sup>76</sup>

I see two reasons for this conflict. First, while the identity of an ethnographer is constantly renegotiated when he has to reposition himself constantly amongst different spheres, sites, and informants in multi-sited fieldwork, his privileged identity and authority as independent scholar is reassumed when starting to write and publish.<sup>77</sup>

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<sup>75</sup> For the article: Berber Bevernage and Lore Colaert, “History from the grave? Politics of time in Spanish mass grave exhumations,” *Memory Studies*, 2014, 1–17.

<sup>76</sup> Santiago Macías thanked all the persons for “*liarse la manta a la cabeza*” (jumped in head-first) to engage themselves in the memory movement (Santiago Macías, public speech, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010).

<sup>77</sup> Marcus, “Ethnography in/of the world system”, 112.

Therefore there was an inevitable gap between my engagement during fieldwork and my regained distance and independence after my exit from the field.<sup>78</sup>

The second reason was that my focus on the frictions between the ARMH and other actors in the field, such as other associations and local communities, was a provocation for the ARMH. Indeed, the organization usually prefers to keep stories about differences internal in order to protect a good image of its work. My analysis of the ARMH as intermediate between global and local conflicts with their self-image of being a grass-roots victims' organization that constantly has to fight the Spanish establishment. I situate them in a larger context of international transitional justice, while not all members of the ARMH and Aranzadi are in direct contact with this international platform. Engaged scholarship should be liberating and transformative.<sup>79</sup> In the article, I tried to expose some of the politics behind the memory practice of the exhumations, namely, the politics of time enclosed in it. I also discussed "alternatives to dominant assumptions"<sup>80</sup> on the 'proper' or 'natural' way to deal with the past, by showing alternative perspectives of some families and associations. According to Besteman, engaged anthropology is value-driven, which is why it inevitably carries the potential for confrontation.<sup>81</sup> Indeed, value-driven research does not mean that the researcher is always right; it just means that the researcher adds a new perspective, which I believed to be necessary, given the "pools of intellectuals" linked to the memory associations. Another task of engaged researchers is to identify and expose power relations and, further, to work against the power differential.<sup>82</sup> I found out, however, that the power differential changes constantly when you do multi-sited fieldwork and when you work with different actors in different situations: the ARMH is an underdog compared to national memory politics in Spain, but they form a link in a globally dominant 'transitional justice culture.' They form a supportive umbrella for silenced victims in the villages but at the same time disseminate their own view to all victims' families. When I link them with a globally dominant memory culture, as I mainly do in Chapters 3 and 5, this does not always correspond with the association's self-image of a grass-roots movement.

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<sup>78</sup> On reflexivity in the stage of exit from the fieldsite, see Sara Delamont, "Ethnography and participant observation," 214, and H. Wulff, "Access to a closed world," in *Constructing the Field*, ed. V. Amit (London: Routledge, 2000), 147–61.

<sup>79</sup> Besteman, "Public anthropology," 3. Here I return to the approaches put forward in the special issue on public anthropology of *Anthropology Today*.

<sup>80</sup> Besteman and Haugerud, "The desire for relevance," 2.

<sup>81</sup> Besteman, "Public anthropology," 3.

<sup>82</sup> Besteman, "Public anthropology," 3.

## 2.5 Research periods and cases

### 2.5.1 Research periods

The field research was conducted in different field-research periods between 2010 and 2012.<sup>83</sup> In total I spent 9 months in Spain, divided into four longer periods of between 1.5 and 3.5 months, and three ‘mini’ fieldwork stays of 4 to 10 days. My fieldwork was concentrated in the summer months, when most exhumations took place, because of the weather and the volunteers’ free time. Going back and forth between Spain and Belgium, I opted for “partial immersion,” which had the advantage of regular support from my research group and retreats to distance myself from the field.<sup>84</sup>

Preparing and processing my fieldwork data happened in Belgium and Madrid. Living in Spain in between exhumation periods proved necessary in order to get to know the Spanish political and cultural context and to observe other ‘memory actions.’ Moreover, since fieldwork is often guided by unexpected opportunities,<sup>85</sup> I had to be ‘around’ in order to stay in the memory network. I decided to use centrally situated Madrid as home base in Spain instead of the hometown of the ARMH, Ponferrada, to be able to get to know different kinds of memory actions and stakeholders.

“When you are here everything goes wrong,” one of the ARMH team members once joked to me after three exhumations that I attended had not gone very well: the human remains had been in a bad state or not found at all, or the atmosphere around the exhumation had been very tense.<sup>86</sup> In fact, in the period of my fieldwork, things did not evolve in a good direction for the exhumation movement. The years of my research were marked by “más aplaude y más ruido,”<sup>87</sup> more support but also more racket for the memory movement. They were the culmination years of public interest and support for the memory movement and were marked by several peaks in media attention. Upon my arrival in Madrid in April 2010, memory was booming in Spain. Many demonstrations, street posters, and graffiti made references to the ‘memory law,’ the Falange, and the *memoria histórica* of both sides. There were weekly protests against impunity. To my

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<sup>83</sup> It is important to remember that the results of this study are based on research conducted between 2010 and 2012. Since all studies of objects as variable as memory politics risk coming too late, I will try to refer to recent changes in the memory movement when applicable.

<sup>84</sup> See Delamont, “Participant observation,” 206–207.

<sup>85</sup> See, for instance, Tsing, *Friction*, x: “the ethnographic method, with its focus on the ethnographer’s surprises rather than on a pre-formulated research plan.”

<sup>86</sup> Marco González (ARMH vice-president), conversation during exhumation, fieldnotes, Columbrianos, June 18, 2011.

<sup>87</sup> Juan Carlos Monedero, Public lecture, audio-recording, 10 years ARMH, Ponferrada, 2010, October 23.

surprise, the past of the Civil War and Francoism was very present in contemporary Spanish politics. It was not difficult to find memory actions.

The exhumation campaign had “matured” until the point where the exhumation work had “normalized,” in the words of the ARMH vice-president.<sup>88</sup> The exhumation movement celebrated ten years since its founding, and it was still growing in terms of associates, volunteers, impact, quantity, and scientific quality of the exhumations. The associations formed a web of interconnections, collaborations, and, naturally, differences as well. The government had been supporting the exhumations financially since 2006; the judiciary was finally, albeit reluctantly and so far without results, involved in the memory debate; and many Spaniards discussed for the first time how their society should deal with its legacy of Civil War and dictatorship.

The increased activity on the Spanish memory front was mainly due to the controversy around “super judge” Baltasar Garzón.<sup>89</sup> Garzón is a Spanish investigative judge renowned for his fight against international human-rights violations. He famously indicted Chilean dictator Augusto Pinochet, pioneering universal jurisdiction, and he brought cases against Basque terrorists of ETA (*Euskadi Ta Askatasuna*, Basque Homeland and Freedom), the death squads of the Spanish government that fought ETA in the 1980s, Al Qaeda, and he investigated torture at Guantanamo Bay. But when he turned to Spain’s Francoist past, he had apparently gone too far. In 2008 he launched a legal investigation into the enforced disappearance of 114,266 victims of Francoist repression between 1936 and 1952.<sup>90</sup> After two months, however, he had to pass down his case to local judges. Subsequently, in 2010, two far-right organizations, Falange and the far-right union *Manos Limpias*, accused Garzón of being inconsistent, since he had admitted legal demands of victims of Francoism and not those of Paracuellos – a case of Francoist prisoners killed by Republicans during the Civil War. In May 2010 he was suspended by the General Council of the Judiciary for ‘abuse of power.’ In the end he was acquitted, but the court still declared that Garzón was not authorized to investigate the Francoist crimes and the court upheld the 1977 ‘Amnesty Law.’ Garzón’s career in Spain was finished anyway, because the Supreme Court had by then disbarred him in an officially unrelated case on public corruption, for unauthorized wiretapping.<sup>91</sup> Both the Spanish memory movement and international human-rights organizations were outraged,

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<sup>88</sup> Cited in Alberto Sotillos, “Cada caso resuelto es un avance para la democracia,” *Diario Progresista*, November 4, 2012, accessed November 29, 2014, <http://www.diarioprogresista.es/cada-caso-resuelto-es-un-avance-para-la-democracia-18549.htm>.

<sup>89</sup> For information on this controversy: see for instance Jonah Rubin, “Transitional Justice against the State: Lessons from Spanish Civil Society-Led Forensic Exhumations,” *The International Journal of Transitional Justice* (2014): 99–100.

<sup>90</sup> Carlos Jiménez Villarejo, introduction to *Garzón contra el franquismo* (Madrid: Diario Público, 2010), 12.

<sup>91</sup> Michael Humphrey, “Law, Memory and Amnesty in Spain,” *Macquarie Law Journal* 13 (2014): 37.



denouncing the irony that the first person ever ‘in the dock’ for Francoism was a human-rights investigator. Many supporters of the memory movement were convinced that Garzón had been punished for digging into Spain’s dark pages of history.<sup>92</sup>

The Garzón controversy in 2010 meant the beginning of a return to hard times. Opposition against the memory movement persisted, and after 2012, not only state support but also public interest in the exhumations started to wane.<sup>93</sup> In the context of the global economic crisis of 2008 that affected Spain severely, the conservative *Partido Popular* (PP) struck the governing *Partido Socialista Obrero Español* (PSOE) a heavy blow in the local and regional elections of May 2011. The PP gained all regional governments, including the old socialist bastion of Castile-la Mancha. On ‘20-N’ (the day of Franco’s death, November 20), 2011, the PP confirmed its position in the federal elections. The new government led by Mariano Rajoy nullified all subsidies for historical memory. At first, all subsidies except for the exhumations were cut; but by 2012, the cuts extended to all subsidies for the memory movement, including exhumations. This was part of a never-ending sequence of neoliberal policies and austerity measures decided by the PP and the “Troika” (the triad of the European Commission, the European Central Bank, and the International Monetary Fund). With daily protests in Madrid, almost eighty years after *No pasarán*, the future roads of Europe seemed again at stake in the streets of Madrid.

When I wrote this dissertation, in 2013-2014, Spain was a political battlefield again, where new and older social movements were joining their forces, for instance in the new grass-roots political party ‘Podemos’ (We Can). Social movements emerged to fight inequality in Spain, a fight that was often related to legacies of Francoism and the transition. The exhumation movement continued, with funds gathered from its members and supporters from abroad, and some local governments such as Basque Country and Andalusia. As Juan Carlos Monedero – a political scientist, supporter of the ARMH, and, by late 2014, Podemos candidate for mayor of Madrid – stated in 2010, “everything worsened, except memory.”<sup>94</sup>

## 2.5.2 Field sites and cases

To observe the encounter between the different stakeholders and spheres involved in the memory movement, I attended a diversity of field sites and cases. I participated in three clusters of memory actions, different yet linked by the exhumations. ‘Memory

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<sup>92</sup> Rubin, “Transitional Justice against the State,” 99-100.

<sup>93</sup> Ferrándiz, “Rapid response ethnographies,” 20.

<sup>94</sup> Juan Carlos Monedero, public lecture, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010.

above ground' depicts general activities of the memory movement such as cultural activities and protests; 'Memory in the ivory tower' summarizes academic activities in Spain co-organized with or about the memory movement; and 'Memory below ground' gives an overview of the exhumations and reburials I observed. I describe how I selected each case and how it affected my methodology and results.

In the reality of the field, these three clusters were blended together. Moreover, they were complemented by smaller experiences that are too dispersed to be integrated in this overview. They included visits to important *lieux de mémoire* (sites of memory) and monuments, stumbling across relevant graffiti or flyers, informal conversations with friends outside the memory movement, following Spanish media, etc. This range of activities nonetheless added to a better understanding of the Spanish context, the memory movement and its perception outside of its own network, and a 'thicker' description of the case studies.

Although the exhumations formed the main thread throughout my research, the other memory actions helped to capture a complete picture of the exhumation movement: its *discurso* and *curso*, rural and urban activities, and external and internal discourse.<sup>95</sup> Indeed, as I will explain, many memory activists share a republican ideology internally, and in their discourse as well, members of ARMH and Aranzadi include political messages. In the practice of the exhumation movement, however, the ideology of the ARMH volunteers is often set aside.

## Memory above ground

“20-N (November 20, 1975), fascism did not die”<sup>96</sup>

To be able to situate the exhumations in the broad social movement of 'historical memory' in Spain, I observed general actions of the memory movement such as cultural activities, urban protests, homages, commemorations, exhibitions, internal associative meetings, and seminars outside of the exhumation processes. In these activities I got to know the *discurso*, especially the external discourse, about the exhumations. It also gave the opportunity to contrast the rural experience of the exhumations with the conduct of the memory movement in the urban context of metropolitan memory politics, in interaction with actors such as national and international press, parties, unions, activists for other kinds of causes, and international memory movements.

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<sup>95</sup> Layla Renshaw already stressed the importance of getting to know both the external and internal discourse of an organization as the ARMH that has learned to communicate differently with its supporters and with its critics. See Renshaw, *Exhuming Loss*, 40.

<sup>96</sup> Slogan carried in a protest to support Garzón, photos, Madrid, April 21, 2014.

My first step to gain access to the memory movement was at the premiere of 'Los Caminos de la Memoria' in Madrid (los cines Verdi, April 21, 2010).<sup>97</sup> The film provided me an overview of the main causes of and controversies around the memory movement, and during drinks afterwards I had the chance to present myself to Emilio Silva, president of the ARMH, and explain my research interest in the memory movement. Over the course of my fieldwork I would attend other screenings of films about Spain's 'historical memory' as both the memory of and the recent past itself in Spain is called. In 2011 (April 30, Teatro, Madrid), for instance, I attended a screening of 'La memoria interior,' a documentary about Francoist repression in the Canary Islands<sup>98</sup> that proved interesting mainly for the discussion afterwards about the difficulties in pointing to the culprits in public.

In the same month, actions against impunity in Madrid were peaking. Attention from national and international media was high. The fight against impunity was waged on different fronts: there were legal investigations into the disappeared in the mass graves, against Francoist officials, and into the case of the children illegally abducted from Republican families. The judicial path followed by the memory movement had started with the investigations of Garzón but had been passed on to local judges. In April 2010, Argentinean lawyers in Madrid were initiating investigations, which resulted in the opening of a legal case in Argentina (*La querella Argentina*), based on the principle of universal jurisdiction, and an international warrant arrest against twenty former Francoist officials that had so far been neglected by the Spanish government.<sup>99</sup> In anticipation of trials, a 'people's court' in Madrid was set up to judge one of late Francoism's notorious torturers, 'Billy the kid.' The memory movement was growing with new organizations, such as the Madrid-based plural forum 'Plataforma contra la Impunidad.' The hitherto personal stories of victims, such as Hilda Farfante (1931) and Natividad Rodríguez (1931), whom I quote throughout this study, became public for the first time. I went to different actions, such as the national demonstration in support of Garzón that gathered thousands of people (April 24, 2010) and the sit-in against impunity at the Complutense University in Madrid (April 23, 2010). I mainly focused on the links with the exhumations, which I found in the collaboration of the ARMH in the Garzón case and the testimony of Silva in the legal case against Garzón. The ARMH leaders, although they condemned the political use of the controversy for electoral gain, collaborated with both the case of Garzón and the Argentinean one, because they aspire

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<sup>97</sup> José-Luis Peñafructe (dir.), *Los Caminos de la Memoria*, documentary film (Dolby Digital, 2009), 96 min, 35mm.

<sup>98</sup> Carlos Reyes Lima (dir.), *La memoria interior: Los fusilados de San Lorenzo*, documentary film (Exterior Noche Pro, 2011), 60 min.

<sup>99</sup> Humphrey, "Law, Memory and Amnesty," 38; Associated Press in Madrid, "Human rights abusers in Franco-era Spain could be tried in Argentina," *The Guardian*, November 2, 2014, accessed December 15, 2010, <http://www.theguardian.com/world/2014/nov/02/buenos-aires-spain-franco-argentina>.

in general to judicialize the exhumations and because Garzón served as an authoritative 'umbrella' to counteract fear among the victims of Francoism.<sup>100</sup>

The newly founded Plataforma contra la Impunidad launched a weekly demonstration at the 'political heart of Madrid,' the Puerta del Sol (see fig. 3, 4, 5). These *Rondas de la dignidad / de Sol* were modelled on the rounds that the Mothers of the Plaza de Mayo walk every Thursday in Buenos Aires, Argentina, to demand clarification on what happened to their *desaparecidos* (enforced disappeared). After attending the first Ronda (May 20, 2010), I recurrently visited them and used them as an 'anchor point' to keep me informed of 'memory news' and become acquainted with new informants or sources. Some Rondas attract only a few dozen regular activists, most of them of a respectable age, while special occasions such as their first anniversary (June 9, 2011) attracted a more diverse population and reached around 300 people.<sup>101</sup> At one Ronda, ARMH activists laid out a 'life-size' photo of an exposed mass grave to raise awareness about the dark pages of Spain's history to the passersby (see fig. 6). The Rondas were good opportunities to learn about the interactions among different associations that sometimes differed in opinion, the general public, and other actors in the memory field such as political parties, academic institutions, and the *Indignados* or 15-M (May 15) movement. The Plataforma could usually carry out their activities peacefully but sometimes received insults from the public and experienced some opposition from the *indignados*. The latter were occupying the Puerta del Sol and did not accept political symbols among their midst, such as the republican flags some of the anti-Francoist activists were carrying. Within the Plataforma, the ostentation of republican symbols, and the prioritizing of contemporary political issues such as the Garzón controversy or cases of corruption over the claim for truth and reparation about the past, were divisive elements mainly between political organizations on the one hand and the ARMH and victim's relatives on the other.<sup>102</sup>

A key moment for the ARMH, which served both to deepen my knowledge of how the memory movement construes its own work and to familiarize me with the inner workings and discourse of it, was the commemoration of 'ten years recovering memory' (October 23–24, 2010). The gathering took place in Ponferrada, where ten years earlier Emilio Silva had organized the exhumation of his grandfather and founded the ARMH together with Santiago Macías. The two days were filled with interdisciplinary lectures, an exhibition, a concert and readings in the theatre, drinks and dinners, and the

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<sup>100</sup> ARMH leaders, Asamblea general ARMH, fieldnotes, Madrid, March 19, 2011.

<sup>101</sup> Diego Barcala, "Las víctimas de Franco toman el testigo de las Madres de Mayo," *Público*, May 21, 2010, accessed December 15, 2014, <http://www.publico.es/espana/314400/las-victimas-de-franco-toman-el-testigo-de-las-madres-de-mayo>.

<sup>102</sup> Conversation with Jonah Rubin, fieldnotes, on the way to Valdenoceda, April 16, 2011.

installation of a plaque marking the site of the Priaranza exhumation, and this was all covered by local and national media. These were emotive days, not only for the family Silva but also for the whole community around the ARMH, which was called a “family” as well. The lectures were given by researchers and expert-practitioners, all scholars engaged in the memory movement and the ‘pool of intellectuals’ of the ARMH, from disciplines as diverse as forensic medicine, archaeology, psychology, social anthropology, history, political sciences, and law. The lectures and debates were reflective about the past and future work of the exhumation movement but nonetheless were mainly a moment for vindicating its causes. The protagonists of the day were in any case the volunteers and the victims’ relatives, who were thanked and honoured and put in the spotlight. While the ARMH supporters looked back on what the exhumation in Priaranza had set in motion for them, some of the main threads of this research began to crystallize, mainly around the tensions between public and private, and political or apolitical work. Indeed, I took note of different trends, such as the humanitarian aims of the exhumations and familial rights to mourning and even silence, on the one hand, and on the other: the fight against impunity, the stress of some speakers on the socio-political aspect of the movement, the plea of some to ‘de-Francoicize’ both historical narrative and society, and attempts to officialize the truth and ask involvement of the state that goes further than the ‘Law of Historic Memory.’

Shortly after the commemoration of ten years ARMH, I was invited, together with other recently arrived researchers, to the newly founded Madrid office of the ARMH. This meeting gave me some insights into the work of the organization outside of the exhumations. The office, a collaboration between the ARMH and ‘psychologists without borders,’ was setting up teams of volunteers to record testimonies, investigate cases of disappeared, assist victims legally, socio-economically and psychologically, and set up pedagogic projects of awareness about human rights and memory in schools, streets, media, etc. As with much of the work of the ARMH, the office proved to be victim centred. I learned how philosopher Carlos Aguëro and psychologist Guillermo Fouce, who run the office, define victims of Francoism as both direct victims and indirect bereaved and differentiate them from, for instance, those killed in battle for whom other laws apply and from victims of terrorist attacks in Spain, such as the terrorist bombings of commuter trains in Madrid on March 11, 2004 (‘11-M’), in terms of recognition and socio-economic discrimination. The office team clearly hoped that we, researchers, would participate in the working groups, but I felt that my research aims were not defined enough yet to do so.

In March 2011, during a weekend that I spent with the ARMH team to attend two reburials, I was invited to attend the organization’s annual meeting with all paying members (March 21, 2011). In the meeting, the last year was discussed, and Marco González was chosen vice-president to replace Santiago Macías. Macías had to leave because he would run for the PSOE in the local elections; many organization members

believed that political mandates would conflict with leading the ARMH. The most important topics of the meeting were the fight against the Amnesty Law with Garzón and the Argentinean lawyers and organizations, the nine successful exhumations and public reburials, the issue of the children abducted by Francoist institutions, and the obstruction of the search for the famous poet Federico García Lorca's body by his family. Things planned for the next year were, beyond exhumations, the search for financing for identification of remains, coming commemorations such as eighty years of the proclamation of the Second Republic, seventy-five years since the start of the Civil War. The meeting concluded with a meal that lasted throughout the afternoon, during which I got to know new families of disappeared and their causes.

The same day, I went to visit the photo exhibition 'Desaparecidos' of Gervasio Sánchez in Madrid (March 21, 2011).<sup>103</sup> This Chilean photographer made images about sites of enforced disappearances, relatives of missing people, and society's responses to the disappearances in the form of exhumation, classification, identification, and reburial of the remains. The images were remarkably homogeneous in the different historical, political, and cultural contexts, from Guatemala, over Iraq and Bosnia, to Spain. Especially the photos of relatives were framed in the same way: almost all were of females, mainly widows, sometimes in mourning, holding the portrait of their husband or child or a sign with their name and the word *desaparecido*, in Spanish, even if the photo was taken in Bosnia. The exhibition inspired my thoughts about international connections in iconography, terminology, and representation of victims, between memory cultures and the place of Spain in this, and in themes such as privileged representation of victims.<sup>104</sup>

The next event I here describe started outside of the memory movement, but it was nonetheless important to understand its political context. Early in the summer of 2011, the 15-M movement or *indignados*, a movement along the lines of other international movements of young people in the wake of Occupy Wall Street and the Arab Spring, caused a major stir-up in Spain. I went to visit their occupation of the Puerta del Sol several times and listened to the meetings and conversations (May 23; June 2, 9, 12, 2011). The *indignados* refined my observations about the perception of politics, the state, and anti-fascism among different generations and groups in Spain.

The last memory action 'above ground' I was able to observe was some time after my fieldwork in Spain, when the ARMH team came to Brussels with their exhibition

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<sup>103</sup> This exhibition has two published catalogues: Gervasio Sánchez, *Víctimas del olvido / Forgotten victims; Desaparecidos / Disappeared* (Barcelona: Art Blume, 2011).

<sup>104</sup> In Chapter 5, I will use the concepts 'privileged representation' and 'privileged representatives' to differentiate respectively between preferred ways of representing the past, and preferred persons to represent the past (such as in the case of Sánchez, mainly widows).

‘Exhuming mass graves, Recovering dignity’ (May 2013). The exhibition was made in collaboration with Aranzadi and consisted of the previously mentioned life-size mass grave photo in the middle, surrounded by panels with information on the different actors involved in the exhumation process, and the different phases: the exhumation, the laboratory research, and the homage. The exhibition had been planned in the European Parliament but had been cancelled due to objections from a PP member of parliament, using the argument that the images were too explicit and painful. The ARMH team came to Brussels to hold the exhibition in a cultural centre, stage some protests against the ‘censorship’ of the European parliament (see fig. 6), and organize some informative lectures of researchers, expert-practitioners, and victim’s relatives. They collaborated not only with Aranzadi but also with local activists of the Belgian Foro and other Spanish expat organizations in Brussels. The events were interesting because of the encounter with the different visions of the Foro. Furthermore, it was an opportunity to see how they function in international realms such as the institutions of the European Union, especially at a time when they were seeking support and funding because their government subsidies had been cut off. I got to see behind the scenes how – with which techniques, which documentaries, which references to other victimized groups in Europe, which preferred academics, to which audiences in which languages, etc. – they disseminated their message in yet another context.

### **Memory in the ‘ivory tower’**

In this section, I selected the academic activities that were ‘ethnographic opportunities’ that allowed me to observe the interaction between important actors in the memory movement, such as victims and expert practitioners, and Spanish and international researchers of different disciplines. As I said, within the memory network there were many engaged scholars tearing down the walls of the academic “ivory tower,” using their expertise “in service of society”<sup>105</sup> to support the memory movement. Academics and activists are indeed often fighting alongside each other for the same causes, each with their own expertise and means.

I attended three types of academic seminars: seminars organized by the memory movement, seminars organized by departments of history, and seminars organized by scholars from different disciplines – but with a strong presence of anthropology – studying collective memory in Spain. Interdisciplinary seminars that gathered forensic and social anthropologists, lawyers, and psychologists around the theme of the

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<sup>105</sup> Carmen García Rodeja (ARMH activist Galicia), public speech, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.

exhumations were connected the most with the memory movement; seminars of historians the least.

The seminars with historians<sup>106</sup> were mainly interesting to observe the differences in how professional historians and memory activists deal with the Civil War and the Francoist past and with concepts such as 'victims' and 'reparation.' This was important to counter the risk of developing a view biased by the discourse of the memory movement.

The conferences and seminars I attended that were organized by Francisco Ferrándiz and his interdisciplinary team of *las políticas de la memoria*<sup>107</sup> were especially useful for their discussions on the roles of different actors in the memory movement: the main actors discussed were forensic anthropologists, memory associations, historians, and social anthropologists, and the main memory practices discussed were photos, theatre, protests, documentary films, and, naturally, exhumations.

The seminar that I will use most throughout this dissertation was organized in the Universidad Carlos III by the ARMH and *Psicólogos Sin Fronteras*,<sup>108</sup> with the collaboration of scholars and activists from various organizations, amongst others Aranzadi. The seminar was directed towards university students and formed part of the pedagogic and dissemination work of the newly established ARMH office in Madrid. The lectures and discussions dealt with the scientific, legal, media, historical, symbolic, political, and psychological aspects of the exhumations.

In a panel on the different actors involved in the exhumations, the different roles of the associations, relatives, and expert-practitioners were discussed. The fact that in Spain one crucial actor is not involved in the exhumations, namely, the judge, led to debates about the status and use of the forensic reports in Spain. The lectures on the aspects other than forensic truth revealed a diversity of practices in the exhumation movement, especially in the realm of more symbolic actions, such as homages and reburials. Francisco Etxeberría, forensic doctor and president of Aranzadi, even complained that most of his time in lectures is devoted to legitimizing the exhumations, and indeed, many of the lectures were defensive in tone, which pointed to the fact that the exhumation movement is used to working in a hostile environment. The ARMH

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<sup>106</sup> III Simposio 'Memoria, narración y justicia,' Memoria e Historia, CSIC, Madrid, November 16–18, 2010; Jornadas Internacionales 'Encuentros con Clío: epistemología y representación,' CSIC, Madrid, December, 1–2, 2010.

<sup>107</sup> Seminar 'Memoria y Teatro,' CSIC, Madrid, November 23, 2010, organized about the theatre performance 'Santa Perpetua,' International Conference 'Below Ground: Contemporary mass grave exhumations from the Spanish Civil War (1936–1939),' CSIC, Madrid, June 29–July 1, 2011.

<sup>108</sup> Jornadas Protocolo y Balance Exhumaciones en España, Universidad Carlos III, Madrid, October 14, 2010. See: "Jornadas Protocolo y Balance Exhumaciones en España," Accessed April 29, 2014. Psicólogos Sin Fronteras Madrid, <http://www.psicologossinfronteras.net/madrid/eventos/jornadasExhumaciones.pdf>.



especially seemed to defend its own method of working by contrasting it with the Foro, that was not present at this seminar. The aspect of the exhumations that provoked the most debate was their political meaning, and the notion of the exhumation movement as a social or political movement. The exhumation associations collided with the students who expressed concern about possible ‘politicization’ of the exhumations, and tried to explain them the socio-political work that they carry out in the wake of the exhumations. In short, the seminar revealed how the exhumations were sites of collaboration among a myriad of actors and activities and functions, such as psychological guidance, forensic investigation, and political vindication, that sometimes result in conflicting interests.

### Memory ‘below ground’

From the *discurso* (discourse or word) to the *curso* (practice) is a nice way to grasp my journey to the exhumations.<sup>109</sup> My focus on the exhumations had a major impact on the conclusions of my study of the memory movement. The memory that is generated *a pie de fosa*, in a context of local communities and in interaction with victims’ families and other local actors, can differ from the discourse of lectures, seminars, and demonstrations in Madrid. For the ARMH team, “the reality” of the memory movement takes place in the field, and *lo de Madrid* does not always have much to do with that.<sup>110</sup> The exhumation teams have to adapt constantly to local circumstances, new visitors to the gravesite, new participants, or opponents. In the rural, close-knit communities still divided by the Civil War violence, and with victims’ friends and relatives nearby, the ARMH members constantly balance and compromise between their own ideas and the more complex reality that prevails during the exhumation. Their political principles and ideological ideas, which are sometimes expressed in seminars and demonstrations, are often set aside to avoid discord and provocation with relatives and villagers at the side of the grave. The Spanish memory movement clearly consists of both word and action – which is actually a source of pride for many members – and since the discourse is more easily picked up by press and social media, I am convinced that a focus on the practice of the exhumations is an important addition to the mainstream perception of the memory movement.

The exhumations did not only lead me to a fascinating memory action that relates to the past in a very specific way: manual, tactual, material, and sometime contradictory (i.e., both scientific and emotional). They also gave me entrance to a world previously unknown to me: the world of rural Spain, which almost seems a different time zone

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<sup>109</sup> The ARMH team itself often stresses the importance of getting to know the exhumations to be able to understand their work.

<sup>110</sup> Conversation with ARMH team, fieldnotes, Brussels, May 1, 2013.

than the urban space of Madrid. While some of my friends in Madrid called the *memoria histórica* of interest only to very old people and historians and not to them, rural Spain is for the most part inhabited by old people. In many of the communities I visited, mainly in Castilla-la-Mancha, job prospects for young people were limited to police officer, firefighter, or forester. Mercury mining had ceased, the soil had dried out, and land was left fallow and uncultivated, to function as a passive source of European subsidies or hunters' rent for big owners; and the economic crisis had dealt the construction industry its final blow.

Many of these villages had more inhabitants in the age of the Civil War, but they were still very close-knit communities back then. They were sites of highly intimate intra-community conflict and violence that, depending on the zone they were situated in, started during the Second Republic or the Civil War and lasted into the post-war repression. Not without reason does the saying go: 'pueblo chico, gran infierno' (small village, major hell). A main motive for violence in these communities was conflicts over land between the old elite of landowners, supported by the Church and the rebel army, and the landless rural labourers, supported by the *Reforma Agraria* of the Second Republic. Although many people left the villages after the Civil War, to escape stigma and repression or, later, to work in the industries in Madrid, Catalonia, or Basque country, many kept in touch with 'su pueblo' until now; and in the village, most know who was allied with which side during the violence.

I selected six exhumations (five of the ARMH (including one failed exhumation) and one of Aranzadi), and six reburials (five of the ARMH and one of Aranzadi). This was in accordance with my focus on one important organization rather than one region. That being said, I spent most of the time in rural Castilla-la-Mancha (four exhumations and three reburials), namely in the provinces of Ciudad Real and Toledo, which resulted in a better knowledge of the regional socio-economic, historical, political context, and, not unimportantly, the dialect and local ways of communication.

During exhumations and reburials, I tried to observe one aspect of the "afterlives" of the bodies that had lain in those graves for more than seventy years. Along the same line as Francisco Ferrándiz's study of the legal, scientific, media, associative, and emotional "afterlives" of the bodies and Katherine Verdery's study of their "political lives," I studied the role of the mass grave exhumations and reburials in Spain's representation of the past.<sup>111</sup> I investigated the events of the exhumation process and also, where possible, events preceding the exhumation and the continuing history of the mass grave. Due to my choice to follow the exhumation team rather than study one

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<sup>111</sup> Katherine Verdery, *The Political Lives of Dead Bodies: Reburial and Postsocialist Change* (New York: Columbia University Press, 1999); Francisco Ferrándiz, "Exhuming the Defeated: Civil War Mass Graves in 21st-Century Spain," *American Ethnologist* 40 (2013): 38–40.

region or village, however, this research before and after was not always possible. Next to the exhumation work itself I observed the practices and discourses around the exhumation in order to analyse how the victims and the past were commemorated and represented. I paid attention to who was involved, who requested the exhumation, who organized the reburial, who paid for the exhumation and reburial; to how the bodies were exhumed, gathered, investigated, returned, reburied; and how the victims were commemorated and represented.

### ***Exhumation Candeleda (May 18, 2010) and reburial Poyales del Hoyo (March 19, 2011)***

The first time I gained access to an exhumation was in May 2010, when Emilio Silva offered me the opportunity to join social anthropologist Francisco Ferrándiz in his visit to an ARMH exhumation in Candeleda, a village in the province of Ávila in Castilla-la-Mancha, about 200 kilometres west of Madrid. The Candeleda case was part of a controversy that had been picked up (or “uploaded,” in Ferrándiz’s terms)<sup>112</sup> in national and international media and documented in academic and popular literature. I was only there one day and returned for the reburial on March 19, 2011, but my visit was important to gain access to the ARMH exhumation team and get to know Ferrándiz’s ‘rapid-response ethnography’ first-hand.

The exhumation was requested by Lázaro Martín, whose father and grandfather lay in the mass grave. He knew the identity of two other men in the grave; they were all from the neighbouring village, Poyales del Hoyo (600 residents).<sup>113</sup> The three other victims’ identities were discovered when Santiago Macías found all seven death certificates in the municipal archives: they proved to be a couple and their only son. The location of the grave, a site called the *Cuesta del Avión* (slope of the plane), was pointed out by an eighty-six-year local resident who had witnessed, in 1936, four men dragging seven bodies to a hole a few metres from the roadside. Lázaro’s mother ever since then took a detour to Candeleda in order to avoid la *Cuesta del Avión*.<sup>114</sup> The six men and one woman, between the ages of twenty-four and eighty-two, had been killed in the *terror caliente* (hot terror) of the first months after the Nationalist uprising, when tens of civilians in Poyales had been killed by paramilitary groups such as the Falange, locally led by the notorious *Quiniento Uno* (five hundred and one, a nickname referring to the supposed number of *rojos* he had killed).<sup>115</sup>

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<sup>112</sup> Ferrándiz, “Exhuming the Defeated,” 38–39.

<sup>113</sup> Ibid., 46–47.

<sup>114</sup> Ibid., 47.

<sup>115</sup> ARMH, *Informe de la exhumación de una fosa común en Candeleda (Ávila)* (Ponferrada: ARMH), 3–4, 82–83; Ferrándiz, “Exhuming the Defeated,” 41; Giles Tremlett, *Spaanse Spoken*, trans. by Els van der Pluijm (Amstel: Olympus, 2007), 31–47; Silva and Macías, *Las fosas de Franco*, 217–222.

The exhumation was being carried out by the ARMH permanent team with some extra volunteers, one of them a history student from France.<sup>116</sup> A volunteer forensic doctor from Bradford (UK) analysed the remains in the ARMH laboratory. Their identities were not forensically ascertained, but the matching of the archival research, testimonies, and archaeological data “assured” that the remains belonged to the seven presumed victims.<sup>117</sup> The bodies were reburied in Poyales del Hoyo on March 19, 2011. The ceremony, which gathered around fifty people, was public and civic and, after some arguments with the mayor (PP), held in a community centre.<sup>118</sup> It only consisted of a speech of Macías, who took the opportunity to denounce the absence of the mayor as state representative and defended the exhumations against arguments of *revanchismo*.<sup>119</sup> Subsequently, a procession brought the seven unnamed plastic boxes for reburial in a grave with three Republican women whose bodies had been exhumed from another nearby mass grave in and reburied in 2002.<sup>120</sup>

The Candeleda region drew me to a focus on the ‘frictions’ between different actors and interests in the exhumations. In 2002, an exhumation of three women had already led to a conflict between the exhumation team (archaeologists working voluntarily for Aranzadi and ARMH), local political activists, mainly of Izquierda Unida (IU), the victims’ relatives, and Candeleda’s mayor (PP, and the niece of *Quiniento Uno*) about the political framing of the reburial with republican flags and hymns by the local activists. The local activists, led by Mariano López (former member of an anti-Francoist grouping and introduced on his visiting card as “trabajador y activista social”<sup>121</sup>), found a local Foro branch<sup>122</sup> and erected a monument at the former gravesite, dedicated to the “Republican women.”<sup>123</sup>

Conflict peaked again during the exhumation at the *Cuesta del Avión*. At first the local Foro had coordinated this exhumation, but once the remains were localized, a dispute about the political profiling of the site with republican flags brought the exhumation to a halt.<sup>124</sup> The archaeological volunteers accused mainly the national Foro of “exploiting

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<sup>116</sup> ARMH, *Informe Candeleda*, 74.

<sup>117</sup> Ferrándiz, “Exhuming the defeated,” 47–48; ARMH, *Informe Candeleda*, 3.

<sup>118</sup> Fieldnotes, reburial Poyales del Hoyo, March 19, 2014; Also see Ferrándiz, “Exhuming the defeated,” 48.

<sup>119</sup> Santiago Macías, public speech at reburial, audio-recording by Jonah Rubin, Poyales del Hoyo, March 19, 2011.

<sup>120</sup> Also see Ferrándiz, “Exhuming the defeated,” 49.

<sup>121</sup> Tremlett, *Spaanse Spoken*, 38.

<sup>122</sup> Foro por la Memoria del Valle del Tietar y La Vera, a section of the *Federación Estatal de Foros por la Memoria* (accessed December 22, 2014, <http://www.foroporlamemoria.info/>).

<sup>123</sup> Ferrándiz, *Exhuming the Defeated*, 44.

<sup>124</sup> *Ibid.*, 46.

the victims” for “political goals” and “publicity,”<sup>125</sup> and the Foro accused the mayor (PSOE, or “psocialista” in the words of Foro), landowner, and archaeologists of confusing the exhumation of *represaliados* with the exhumation of an antique site of Carthaginians.<sup>126</sup> The relatives and mayor hereupon called in the ARMH to continue the exhumation, which led to mutual accusations between Foro and ARMH. The Foro, which claimed the dead for the republican cause, accused the ARMH of “mercantile interferences.”<sup>127</sup> The ARMH, which believes the dead belong in the first place to the relatives, in its turn stressed that the exhumations should not be turned into an act of *partidismo*.<sup>128</sup> Even the reburial was disturbed for a moment when the president of the local Foro shouted “*robocuerpos*” (mass grave thieves) at the ARMH.<sup>129</sup> The last incident in Candeleda so far was in the summer of 2011, when the Poyales new mayor (PP) emptied the grave of the Republican victims in the cemetery and placed nine of the bodies in the cemetery’s *fosa común* (mass grave). It led to a public fray between protesters of the national and local Foro, carrying the banner “we are the grandchildren of the workers you could not kill,” the victims’ relatives, villagers who had come back from their holidays to protect their town, Sunday mass worshippers, and the Guardia Civil.<sup>130</sup>

### ***Exhumation Calzada de Oropesa (November 4–14, 2010) and reburial Las Ventas de San Julián (March 19, 2011)***

In November 2010, Santiago Macías invited me to join the ARMH team during an exhumation in Calzada de Oropesa (Toledo). It was the first exhumation I could observe from start to finish. In return for helping out with the archaeological work, I could stay with the team, observe their work, talk to relatives and other visitors to the exhumation, and take photos.

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<sup>125</sup> César Perez et al., “Arqueólogos desplazados a Candeleda puntualizan detalles sobre la cancelación de la exhumación prevista a fusilados en la guerra civil,” *Rebelión*, April 16, 2010, accessed December 16, 2014, <http://www.rebelion.org/noticia.php?id=104137>.

<sup>126</sup> Javier Mestre, “Una exhumación frustrada o la transición española como neurosis obsesiva,” *Rebelión*, March 29, 2010, accessed December 16, 2014, <http://www.rebelion.org/noticia.php?id=103173>.

<sup>127</sup> Beatriz Lorenzo, “El Foro por la Memoria denuncia las exhumaciones en Candeleda de siete hoyancos,” *Diario de Ávila*, May 18, 2010, accessed March 23, 2014, <http://www.diariodeavila.es/noticia.cfm/Valle%20del%20Tiétar/20100518/foro/memoria/denuncia/exhumaciones/candeleda/siete/hoyancos/A79FF676-0824-7533-A4115511DBF943CC>.

<sup>128</sup> Fieldnotes, exhumation Candeleda, May 18, 2010; Lorenzo, “El Foro denuncia”; Conversation with Ramón (ARMH psychologist, pseudonym), fieldnotes, reburial Oropesa, March 19, 2011.

<sup>129</sup> Fieldnotes, reburial Poyales del Hoyo, March 19, 2011; Ferrándiz, “Exhuming the defeated,” 49.

<sup>130</sup> Giles Tremlett, *Ghosts of Spain* (London: Faber & Faber, 2012), 420–421; Ferrándiz, *Exhuming the Defeated*, 38–39.

The exhumation was requested by Natalia (pseudonym), granddaughter of one of the victims, who had contacted both Foro and ARMH, but the ARMH were, according to her, the only ones that replied. They were looking for seven bodies of men from the neighbouring village Las Ventas de San Julián, who had probably belonged to the town's *Casa del Pueblo* (House of the People, usually a local branch office of socialist parties and unions). In 1936, according to testimonies, they had been denounced, arrested, and imprisoned in an improvised prison. The night of November 25, they were driven off on a truck, some with their feet tied, executed, and buried at the roadside some kilometres away from the village. Their wives went looking for them in all prisons in the region, until they learned that their husbands had been killed. The heaped-up earth at the mass grave was initially visible for everyone to see, but rumours started of dogs running around with body parts of the victims or, more recently, of how the remains had ended up in the trash long ago. But without a body and grave, it was difficult for some wives to believe their men were dead. Natalia's grandmother, for instance, always thought the men had fled to France. After the killings, like in Poyales, some of the families of the victims were so despised that they were forced to move.

The search for the grave took four days, during which only the nuclear team of the ARMH and me were present (see fig. 7). A local resident who had been a guard on that field in the 1930s had pointed out the location, but the field, some kilometres away from Las Ventas, was vast, and the road had disappeared.<sup>131</sup> A locally hired excavator made grooves, while the team searched for bullets with the metal detector (see fig. 46), and Macías went to investigate old maps in the archives. At one site, many bullets were found, some of them distorted, pointing to *tiros de gracia* (grace shots) from close to the ground.

Once the bones were found, the press was informed, and more volunteers joined; amongst others Alejandro Rodríguez, a young historian investigating the anti-Francoist *maquis*; Ramón, the volunteer psychologist; Elena who worked for the PSOE; and Marta and Mateo, a couple that had been active in anti-Francoist organizations during late Francoism. In the remaining seven days, the team uncovered the remains manually, following the archaeological procedures to investigate a “synchronic primary burial” or, in other words, a group of people buried for the first and at the same time.<sup>132</sup> The personal objects found in the grave, such as a little saint's figure and the shoes that were clearly a workman's – which confirmed the stories that the widows had told their

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<sup>131</sup> In Oropesa, I did not yet use audio- or video-recording. All this information is from my fieldnotes. Also see: Vicky Bolaños, “Comienza en Toledo la exhumación de una fosa con siete fusilados durante la Guerra Civil,” *rtve.es*, November 10, 2010, accessed December 21, 2014, <http://www.rtve.es/noticias/20101110/comienza-toledo-exhumacion-foxa-siete-fusilados-durante-guerra-civil/369656.shtml>.

<sup>132</sup> Ferrándiz, “Exhuming the Defeated,” 47; Layla Renshaw, “The Scientific and Affective Identification of Republican Civilian Victims from the Spanish Civil War,” *Journal of Material Culture*, 15 (4), 5.

children – attracted a lot of attention during the exhumation and again later during the reburial ceremony when they were displayed. In the last days, technical photos and drawings were made, all objects and remains were gathered, wrapped in newspapers (against humidity), placed in individual cardboard boxes, and taken to the ARMH laboratory (see fig. 14 and 15). The remains were too far deteriorated to identify individually, but they were documented, and a report was drawn up.

During this exhumation as well, some tensions emerged. Local Foro activists related to the Candeleda group had already tried to search the grave, without permission, which had led to confrontations. In Poyales, Izquierda Unida members and others were apparently fulminating against the exhumations. But also within families, and between the ARMH and some relatives, disagreements emerged. Liberto, son of one of the victims, said that his brother did not agree with the exhumation, and indeed he stayed away from both exhumation and reburial. He claimed that it was mostly Natalia who wanted the exhumation, for her mother who was still alive but did not find the courage to come to the exhumation, and that most elderly wanted to leave the grave as it was. And another relative started to question why the remains had to be taken to Ponferrada for analysis and could not be reburied right away, especially since it would be impossible to identify the bodies. The ARMH defended its work by referring to the international United Nations (UN) protocols they use, the scientific procedures that need to be followed, the fact that the ARMH is an apolitical organization, and that the work is done by volunteers “*con mucho cariño*” (with all their hearts) (see fig. 41).<sup>133</sup> In both Candeleda and Oropesa, I learned that the exhumation process is often started in collaboration with some relatives, while other relatives are not always informed or in favour. This means that some relatives only find out about the exhumation when it has already started or, as in Oropesa, that some close relatives stay away from the exhumation and reburial or do not agree with all its aspects. However, the ARMH archaeologists deemed the disagreements within families “familial issues” in which they cannot interfere.

On March 19, 2011, after the reburial in nearby Poyales, the remains were returned to the relatives (see fig. 8). The reburial ceremony was mainly organized by Natalia and the mayor of Las Ventas. It was again a public ceremony, attended by around 100 villagers, a dozen volunteers and collaborators of the ARMH, and some journalists.<sup>134</sup> Many people, such as Natalia’s mother, who had not visited the exhumation, were present at the

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<sup>133</sup> Conversations between ARMH team and relatives, fieldnotes, Oropesa, November 13, 2011.

<sup>134</sup> Also see Lola Morán, “Las Ventas de San Julián despierta a siete vecinos fusilados en 1936,” *La Tribuna de Talavera*, March 20, 2011, accessed December 21, 2014, <http://www.latribunadetalavera.es/noticia.cfm/Local/20110320/ventas/san/julian/despide/siete/vecinos/fusilados/1936/1A7A3BE3-0A8F-4E0E-999E6170569C5FFB>.

reburial. There were speeches of the mayor, Macías, and Natalia, who mainly thanked the ARMH team. A song ‘volver’ (to return) was played, and poetry recited. After a procession on foot to the cemetery, the remains were placed in two niches with a commemorative tablet, both paid for by the municipality. Macías emphasized that “a chapter had been closed.” However, the archaeological and forensic investigation did not reveal many new facts. The doubts about the fate of the seven executed men were solved, but there were still questions about other *represaliados*. According to previous archival research, an eighth victim had been together with the seven men, but the body was not found during the exhumation. The eighth name was also carved in the gravestone, however, in the hope that his body would be found in the future.

### ***Reburial Valdenoceda (April 16, 2011)***

On April 16, 2011, I attended one of the reburial ceremonies of the exhumation of the Francoist prison cemetery in Valdenoceda (Burgos). From 1938 until 1943, the prison, housed in a former silk factory, was one of the major men’s prisons of the Francoist regime. Most of the prisoners were condemned for ‘rebellion,’ which meant supporting the Republic. Thousands of prisoners passed through this prison, sometimes 1,600 at once, packed in a small building of three floors. Political prisoners from all over Spain ended up here, and some died from hunger, disease, or physical abuse.<sup>135</sup> Archival research has documented 154 prisoners who died officially from disease and who were interred in the prison’s burial ground next to the local church’s cemetery. It was the prisoners themselves who buried their *compañeros* and took the effort to bury them in coffins and with crosses. Yet it is known through testimonies that many other prisoners were rounded up in the mornings and were probably transported around the province and killed extrajudicially, a *modus operandi* known as ‘*sacas*’.<sup>136</sup>

An ‘Agrupación de Familiares y Amigos de Represaliados en Valdenoceda’ was initiated in the 1990s, when a grandson of a prisoner who had died in Valdenoceda started to investigate the case of his grandfather and to look for other relatives through the Internet.<sup>137</sup> Since 2003, they gather yearly in April, around the date of the founding of the Second Republic, April 14. In 2007, the Aranzadi exhumation team, in collaboration with scientists of the Universidad Autónoma de Madrid, started the

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<sup>135</sup> See Alfredo González-Ruibal, “Absent Bodies: The Fate of the Vanquished in the Spanish Civil War,” in *Bodies in Conflict: Corporeality, Materiality, and Transformation*, ed. Paul Cornish and Nicholas J. Saunders (Abingdon: Routledge, 2013).

<sup>136</sup> See Renshaw, *Exhuming Loss*, 47.

<sup>137</sup> The Agrupación is indeed very active online, with a blog (<https://exhumacionvaldenoceda.wordpress.com/>), a Facebook page (<https://www.facebook.com/agrupacionfamiliasvaldenoceda.exhumacion>), a Twitter page (<https://twitter.com/@valdenoceda>), and a Youtube channel (<https://www.youtube.com/user/valdenoceda>).



exhumation of 116 bodies. Further investigations have been impeded because the Church bought the prison burial ground in the 1980s and started to bury townspeople on top of the prisoners, which means that permission to exhume must be asked from those Valdenoceda families, some of whom oppose the Republican memory campaign for ideological reasons.

Until now, fifty-one bodies have been identified; most of them with DNA analysis, and six of them only with osteological analysis, because the Agrupación is still looking for their relatives through Internet calls. Fifty of them have been returned already, in different ceremonies in the Universidad Autónoma in Madrid and Valdenoceda.<sup>138</sup> The gathering on April 16, 2011, consisted of a ceremony of reburial, an informative visit to the former prison, an assembly of the Agrupación, and a dinner.

In contrast to the reburial ceremonies in Poyales and Las Ventas, the first part of the ceremony in Valdenoceda consisted of a Mass in the Catholic church, dedicated to the victims but barely mentioning them. Many of the relatives and Aranzadi team stayed out of the church. In a room next to the church, the Agrupación had set up a small exposition with documents and objects depicting the history of the prison. After this, the Agrupación held a ceremony in the town cemetery, where a common tomb was built, with an inscription of all the names of the 154 prisoners who had been buried in the prison's cemetery. The coffins, wrapped in republican flags, were displayed while the Agrupación's president gave a speech. Then they were given to the families. In Valdenoceda, some families choose to bury the remains in the common tomb; others, like most families that day, choose to take the remains home.

After the ceremony, the Agrupación took the group for an informal guided tour of the former prison. The building was not being maintained, and the Agrupación had requested a special permission to enter the dilapidated building. There was no sign or other clue that reminded of the fact that this building had been one of Francoism's most notorious prisons. Relatives exchanged memories, some of which were recorded on camera by Etxeberría and by a team from a cultural centre that was making a documentary about Francoist repression and the life in the prisons of Francoism in Burgos province. The day ended with a dinner and was an important reunion for many relatives, who came from all over Spain and in some cases met other families of prisoners for the first time.

My short visit to Valdenoceda was important because I got to know a new context: the Burgos region, which had already been very active on the memory front for years, and a new exhumation organization, Aranzadi. I had the opportunity to ask Etxeberría

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<sup>138</sup> "Conoce nuestra Agrupación (incluye lista de identificados)," Agrupación de Familiares y Amigos de Represaliados en Valdenoceda, accessed December 22, 2014, <https://exhumacionvaldenoceda.wordpress.com/la-agrupacion/conoce-nuestra-agrupacion/>.

some questions about his work, and the team invited me to their exhumation at el Alto de La Mazorra in the same region in May.

### *Exhumation La Mazorra (May 4–8, 2011)*

This exhumation at the fields of el Alto de la Mazorra (Valdenoceda, Burgos) was initiated by Asunción, who wanted to find her grandfather. Her family knew he was executed and buried at La Mazorra together with three neighbours from his village Quisicedo, in November 1936. Interviews with the family and archival research previous to the exhumation by Jími Jiménez of the Aranzadi team revealed that the men had been taken from their homes to the headquarters of the Guardia Civil and held in a prison for a short time, where they were subjected to torture. On the 18th, Falangists organized a *saca* in that prison, and they transported the men by truck, with their hands tied, to La Mazorra and executed them at the side of the road.<sup>139</sup>

The location of the grave was pointed out by a man who had driven by the site with his bus in 1936 and had recognized the body of Asunción's grandfather. In addition, people from the closest village had been ordered to bury the bodies and had counted eleven bodies, so they said. Asunción's uncle José, son of one of the victims, had always known the location of the grave and brought flowers for his father, but he never knew how to recover the remains that were buried on private land. More investigations revealed a total of ten names of victims possibly in the grave, but not all families could be reached, or agreed to collaborate, prior to starting the exhumation. Asunción had foreseen to rebury bodies that would not be claimed together with her grandfather.<sup>140</sup>

When I arrived at the site with the Aranzadi volunteers from Madrid, a small team had already localized and demarcated the grave with an excavator. The first day that the whole team was there, they started to uncover the bodies manually. Thirteen bodies appeared: eleven men and two women. The second day, when Etxeberria joined, technical drawings and overview photos were taken (see fig. 9), and on the third day the team started to gather the remains in plastic bags and individual boxes. The exhumation was covered by regional press, blogs, and a photographer.<sup>141</sup>

The search 'above ground' continued during and after the exhumation. Helena Ferrándiz, sister of social anthropologist Francisco Ferrándiz, and I had to interview the

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<sup>139</sup> Aranzadi, *Informe preliminar de la visita* (San Sebastián, 2010), 1–2.

<sup>140</sup> Helena Ferrándiz, *Información facilitada por familiares, vecinos y asociaciones vinculadas a las víctimas que pudieran haber sido inhumadas en 1936 en la fosa del Alto de La Mazorra (Burgos) tras su fusilamiento* (2011).

<sup>141</sup> See, for instance "Fosa de La Mazorra," *lasmerindadesenlamemoria*, June 14, 2011, accessed January 10, 2015, <http://lasmerindadesenlamemoria.wordpress.com/2011/06/14/fosa-de-la-mazorra/>; Álvaro Minguito, "Memoria de la esperanza. 05.11," *Álvaro Minguito Fotografías*, May 2011, accessed January 10, 2015, <http://www.alvarominguito.net/Memoria-de-esperanza-05-11.html>.

relatives, collect the documents they brought, and fill in forms with pre-mortem data about the victims and information about their disappearance. Jimi Jiménez continued his archival search, organized his data of the region, and indeed found thirteen persons who had been taken from the Villarcayo prison on November 18. In the meantime, Dr Francisco Etxeberria took DNA samples of the closest relatives. By the end of the exhumation, however, some families of the possible victims were not found or reached yet, or did not want to participate in the exhumation process.

This exhumation gave me the opportunity to get to know how the Aranzadi team works and how it communicates with relatives, investigators, press, etc. Although the exhumations of the Aranzadi team are also carried out by volunteers (except for the technical staff that works permanently for the overarching society of sciences Aranzadi), almost all of the volunteers working for Aranzadi have a degree in biology, medicine, archaeology, or physical anthropology. Some of them work for universities and integrate their work for Aranzadi into their research projects. Much of the exhumation work of Aranzadi is therefore elaborated in academic publications. The team works fast and neat and organizes the work more in separate teams: the preliminary search for the grave was carried out by Jimi, most of the team stays working in the grave, while a separate team of social researchers, in this case Helena Ferrándiz (sister of Francisco Ferrándiz, teacher) and me, sets up a place for receiving the relatives for the interviews and the collection of extra data. They prefer that the relatives come all together at the same day for the interviews and DNA sampling, to give them a clear explanation of the process without being disturbed every day. At night, the pedagogic incentives of Etxeberria come forth, when he screens documentaries about Spain's Francoist past for the whole team.

The Aranzadi exhumation team was clearly used to working with external investigators, which meant that our collaboration was more formally organized. The first night, I had to explain my research aims. The data that Helena and I gathered were centralized in a report, as part of the interdisciplinary project 'Las políticas de la memoria.' We used the forms, protocol, and informed consent, recorded video-interviews with Asunción and José who visited the exhumation daily, and audio-interviews with other relatives the day they arrived for the DNA collecting. A rainstorm prevented more video-interviews during the exhumation.

During the laboratory research, only two bodies could be identified with DNA. The bodies lay very close to the surface in a worked field, which had exposed them to different weather and to agricultural chemicals. The bodies were returned to the families and reburied on June 2, 2013. They were buried together in Quiscedo, the

village of Asunción's grandfather. The tombstone features not only their names but also the names of nine other victims of the area.<sup>142</sup>

### ***Exhumation Puebla de don Rodrigo (May 26, 2011–June 1, 2011), and making and screening of La Cuchara***

The exhumation in Puebla de don Rodrigo (Ciudad Real) was requested by Eugenio, who had asked the ARMH to recover the remains of his grandfather. In 2010, the ARMH had already exhumed the remains of Eugenio's uncle, 'el Manco de Agudo,' a famous *maquis* in the region who was killed by the Guardia Civil in 1949.<sup>143</sup> Eugenio's grandfather, according to his testimony, had been approached by *maquis* and subsequently had to flee into the hills with his four children to escape pestering by the Guardia Civil. In 1940 he was killed by the Guardia Civil. His children, except for the mother of Eugenio, were all killed at different moments. Eugenio's mother immigrated to Valencia and never told her son the history of her family.<sup>144</sup>

In the same grave, the ARMH expected to find five *maquis* who had been killed by the Guardia Civil in 1941. They did not know their identity, but archival research had resulted in some hypotheses about the group of *maquis* to which they belonged.<sup>145</sup> During the exhumation, yet another family came to say that they were also looking for a relative who had been killed in 1940. The lost *maquis* were of interest to local memory activists and investigators, such as Juan Pedro Esteban, an amateur historian investigating 'los de la sierra' (the ones in the hills, the phrase to refer to clandestine combatants in Ciudad Real).<sup>146</sup> Ciudad Real was the last province to fall under Francoist control. After Franco's victory, anti-Francoist resistance operated from the hills around the towns. Some ended up there out of conviction, others out of circumstances because

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<sup>142</sup> "Homenaje fosa de La Mazorra," *lasmerindadesenlamemoria*, June 12, 2013, accessed January 10, 2015, <http://lasmerindadesenlamemoria.wordpress.com/2013/06/12/homenaje-fosa-de-la-mazorra-texto-2-quisicedo-2-de-junio/> and <http://lasmerindadesenlamemoria.wordpress.com/2013/06/03/homenaje-fosa-de-la-mazorra-quisicedo-2-de-junio-textos-1/>.

<sup>143</sup> Many people in that region are only known by their *apodo* or nickname. *Manco* means one-armed. The history of 'El Manco' is studied in a study of the regional anti-Francoist resistance: Benito Díaz Díaz and Juan Pedro Esteban Palmero, *Vida y muerte de tres guerrilleros antifranquistas en los Montes de Toledo: "El Comandante", "El Manco de Agudo" y "Parrala" (1939–1949)* (Madrid: Foro Ediciones, 2011).

<sup>144</sup> Eugenio, interview by Jonah Rubin and me, video-recording by Jonah Rubin, Puebla de don Rodrigo, May 28, 2011.

<sup>145</sup> Also see "La ARMH exhumará los restos de seis guerrilleros en la Puebla de Don Rodrigo (Ciudad Real) este viernes," *Europa Press*, May 24, 2011, accessed January 10, 2015, <http://www.europapress.es/castilla-lamancha/noticia-armh-exhumara-restos-seis-guerrilleros-puebla-don-rodrigo-ciudad-real-viernes-20110524134958.html>.

<sup>146</sup> This is how the combatants who operated from the mountains are called in Ciudad Real. The name first referred to rebel fighters who were attacking the Republican regime in Ciudad Real, and from 1939 on to the anti-Francoist *maquis*.

the *maquis* started to depend on them or because they were stigmatized by Francoist officials.

In total, the exhumation took six days. To localize the grave, the ARMH hired an excavator and relied on the memory of the locals, especially old Pedro (see fig. 25), who in 1941 had been made to transport the bodies of the five *maquis* to the cemetery, where they had been exposed to the public before burial. This had left a big impression on many children, who still recalled everything vividly. One of the elderly, for instance, repeated that she had seen a spoon in the watch pocket of one of them. The grave was located in the cemetery's 'limbo' or non-consecrated area. The limbo was full of other remains of people who had been denied a consecrated burial, such as unbaptized children and suicides. The head archaeologist could differentiate these remains from "theirs" because the other remains showed evidence of coffins, while the *maquis* had been buried without. On the second day, the remains of the *maquis* were found, and the manual work begun. Eugenio was informed and came to see a look. Soon it became clear, however, that his grandfather would not be found. Ramón, the psychologist volunteering for the ARMH, accompanied him.

The cemetery was the busiest place in the village for the whole week. A lot of journalists came by, and especially many curious villagers, including children and teenagers. The exhumation provoked many interesting stories, about Francoism and about customs of burial, crucial for understanding both cultural and political aspects of (re)burial today and under Francoism. Every day, the head archaeologist patiently explained the whole process.

Together with social anthropologist Jonah Rubin, we were invited to this exhumation by the ARMH head archaeologist. In contrast to the exhumation in Oropesa, we had developed a division of labour between '*los de abajo*' (the ones below), excavating in the grave, and '*los de arriba*' (the ones above), around the grave. Germán, a retired communication specialist who volunteered for the ARMH and Aranzadi, was responsible for photographs and the 'guestbook' where visitors could write their thoughts (see fig. 15); social anthropologist Jonah Rubin and I received the visitors and gave them some explanations so that the team could focus on the exhumation. The nuclear team of the ARMH was still the same, but I met new volunteers, such as Fernán, a miner on leave, and Juan, forester, champion in metal detector searches, and dedicated collector of Civil War memorabilia.

During the exhumation, Jorge Moreno joined as well: a social/visual anthropologist from the region gathering historical data about the repression for the academic project 'Todos los Nombres' (all the names). We started conducting video-interviews together,

which led to a short documentary film, 'La Cuchara' (The Spoon) (see fig. 10).<sup>147</sup> On August 22, 2011, we screened a first version of the film, during the Cultural Week of Puebla de don Rodrigo, when many families return to 'their village' from the big cities. This version had extra takes of the interview with Eugenio. Many people who had not come to the exhumation were reached, including right-wing residents. I got to know new regional memory activists, such as the two initiators of my last case, the Chillón exhumation.

In the end, the exhumation failed to find the body of the man for whom the exhumation had been initiated, and the five other bodies could not be identified. Here as well, the overall results of the exhumation depend on the continuing archival research. On August 17, 2013, the five *maquis* were reburied in Puebla de don Rodrigo in a municipal niche, in anticipation of the revelation of their identity.<sup>148</sup> In this case, different interests had met: the local activists were mainly interested in the *maquis*, while Eugenio's goal was to recover the remains of his grandfather. Eugenio did not come to the reburial. He felt disappointed, but he said he also felt enriched as a person by the experience.<sup>149</sup>

### ***Reburial Pol (June 4, 2011)***

On June 4, 2011 I went to the reburial in Pol (Lugo) of José Antonio Rivas, whose body had been exhumed by the ARMH in August 2010. The exhumation had been requested by his son, Ramón, and his daughter, both living in Argentina. José had been well read and had named his children Lenin (who was later called Ramón) and Igualdad. In 1936, Falangists took him away from his family and killed him. Locals who discovered the body buried him, but the family did not know what had happened to him. In 1952, his widow wanted to immigrate to Argentina and obtained a vague death certificate. After a long investigation, the family finally got to know the location of the grave.<sup>150</sup>

Although I had not attended the exhumation, it was interesting to attend this reburial and conduct an interview with the son of the victim. First, the reburial happened in yet another regional and cultural context, namely Galicia. Second, I wanted

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<sup>147</sup> See Appendix: Jorge Moreno (dir.), *La Cuchara*, documentary shortfilm (Shangrilafilm, 2011), 20:18 min, online audio-visual file, accessed December 17, 2014, <https://vimeo.com/113198265>, password: los del monte.

<sup>148</sup> Juan Pedro Esteban, e-mail to author, September 24, 2013. Also see EFE, "Un pueblo de Ciudad Real custodiará los restos de 5 maquis hasta que sean reclamados," *El Diario*, August, 7, 2013, accessed December 16, [http://www.eldiario.es/politica/pueblo-Ciudad-Real-custodiara-reclamados\\_0\\_162033986.html](http://www.eldiario.es/politica/pueblo-Ciudad-Real-custodiara-reclamados_0_162033986.html).

<sup>149</sup> Eugenio, interview by EFE, audio-recording, Puebla de don Rodrigo, May 28, 2011. In a follow-up interview with a colleague anthropologist, however, Eugenio appeared to feel somehow misled and used in order to find the bodies of the five *maquis*, which the activists were more certain that they would find. He felt no need to go to the reburial of the five *maquis* in August 2013. E-mail to author, August 12, 2013.

<sup>150</sup> ARMH, *Informe de la exhumación de una fosa individual en San Mamede do Río (Lugo)* (Ponferrada, 2010), 2-3.

to investigate if the Argentinean memory culture had investigated the search of the family Rivas. It would be interesting to observe how Galicia and Argentina, two places historically linked by immigration, were connected again through new memory practices. However, in an interview Ramón told me that their search was inspired by an article about another family who had found the remains of their grandfather in Spain.<sup>151</sup>

Lastly, I was interested because one photo of this exhumation had become an iconic image for the Spanish memory movement. It was a photo of the boots of José, himself a traditional shoemaker. An aged woman who had seen his body in 1936 remembered his “very good boots” vividly. Surprisingly, the first signs of the body of José during the exhumation were his boots. The woman instantly recognized the shoes and started to cry, but the volunteers were also impressed. They said the shoes looked like the ‘Doc Martens’ boots that were popular when they were teenagers. They told me they were so intact they “could have put them on and walked around with them.” They were shocked and thought they had found, in their words ‘a real missing person, you know, a recent one.’<sup>152</sup> The emotional recognition that José’s shoes effected went viral through a photo in *El País*.<sup>153</sup>

The reburial ceremony took place in the town hall. The wooden coffin and flowers were carried by ARMH volunteers. There were speeches of the mayors of Pol and the town where the exhumation had taken place, the ARMH vice-president, a Galician ARMH activist, and Ramiro the son, covered by several journalists. A documentary was screened and live music played by traditional Galician bagpipes. José was reburied in the family tomb. The day ended with a *comida* (dinner) *de fraternización*.

### ***Exhumation Columbrianos and visit to ARMH laboratory (June 18–19, 2011)***

I was invited to attend an exhumation in Columbrianos, a village near the home base of the ARMH, Ponferrada (León). The exhumation was interesting for several reasons: because it was of personal interest to someone in the ARMH team, because it opened a new history for me, namely of the anti-Francoist armed resistance that lasted well into the dictatorship, and because the search for the grave failed, which is part of the reality of many exhumations.

The ARMH was searching for four important members of the anti-Francoist resistance in El Bierzo: three men, and one woman who functioned as go-between and had hid the men in her house above the ceiling. They were killed on June 5, 1945 by the Guardia Civil. When the guards discovered a false ceiling in the woman’s house, according to testimony, they opened fire on the ceiling until the perforated wood was

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<sup>151</sup> Ramón (1931, son of victim of Francoist repression), interview, video-recording, Lugo, June 4, 2011.

<sup>152</sup> Conversation with ARMH team, fieldnotes, Oropesa, November 2010.

<sup>153</sup> Lola Huete Machado and Sofía Moro, “La memoria de la tierra,” *El País Semanal*, November 14, 2010.

tinged with blood.<sup>154</sup> The bodies were buried outside the cemetery, but since then, the cemetery had expanded, which meant the bodies lay now under the new cemetery.<sup>155</sup> The case was one of the best documented cases in the region, because it had formed part of the Francoist investigations of ‘red crimes’ in the Causa General.

The exhumation had been initiated by the ARMH vice-president Marco González, who had asked all relatives if they were interested in recovering the remains. This mass grave mattered personally to him, since his grandfather was the nephew of one of the five, Robustiano. What made the history even more intriguing was that Robustiano, uncle of Marco’s grandfather, had a son. This son had been raised by his mother and her parents, carried their names, and did not know that his father was actually the *guerrillero* Robustiano. He found out about Robustiano and his new family when he was eighteen years old. When Marco contacted him, he immediately agreed with the exhumation. He said he wanted a proof, if possible by DNA identification, of the parentage of his “possible father,” so that he could be proud of him. Everything pointed in this direction, not in the least because he looked like Marco’s grandfather, but the only things missing were a body to bury and physical proof of parentage.<sup>156</sup>

The ARMH had held two informative meeting for all interested residents of Columbrianos the day before the exhumation would start, but they had little turnout. When I arrived, it was the second day of searching, and some German journalists were there to cover the search. There were also American volunteers collaborating: James Fernández, a New York professor in Spanish and Portuguese and his son. The Fernández men were descendants of a Spanish family and came to set up a collaboration with the ARMH. Others present were Alejandro, the young historian working with the ARMH, and Aitor Fernández, a journalist of *Date Cuenta* who often worked on ‘*memoria histórica*’ subjects,<sup>157</sup> who were making a short film about the exhumation for Marco and his family. We conducted some interviews together at the exhumation site, in the house where the four *guerrilleros* had been killed, and in the ARMH laboratory in Ponferrada.

The grave was not found, which was hard to digest for Marco, but the ARMH would do more archival research to find, for instance, registers of the old cemetery, and they would start aiming for a monument for the four *represaliados*.

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<sup>154</sup> See Santiago Macías, *El monte o la muerte: La vida legendaria del guerrillero antifranquista Manuel Girón* (Madrid: Temas de Hoy, 2005); ARMH, *Exhumación en Columbrianos (Ponferrada, León)* (Ponferrada, 2011).

<sup>155</sup> Marco González (ARMH vice-president), interview with Aitor Fernández, audio-recording, ARMH laboratory, Ponferrada, June 19, 2011.

<sup>156</sup> Robustiano’s possible son (son of killed *guerrillero*), interview, audio-recording, Columbrianos, June 18, 2011; Grandfather of Marco González (ARMH vice-president), interview, audio-recording, Columbrianos, June 18, 2011.

<sup>157</sup> See, for instance, Aitor Fernández, *Vencidxs* (DateCuenta, 2013); Aitor Fernández, *Vencidos*, documentary (DateCuenta, 2014).



***Prospection (October 11–24, 2011), exhumation (October 25–November 4, 2011) and reburial (May 1, 2012) Chillón, and making and screening of The Wave.***

For this ARMH exhumation in Chillón (2000 inhabitants, Ciudad Real), I was able to plan my work in advance. This had to do with the fact that we had chosen the Chillón exhumation for the film project 'The Wave' of two Belgian filmmakers.<sup>158</sup> From October 11, I started to conduct interviews with relatives of the nine victims in Chillón, and also Almadén and Puertollano, towns to which some of the relatives had moved. I therefore worked together with one of the initiators of the exhumation, Luis Miguel, and social anthropologist of the region, Jorge Moreno.

The Chillón exhumation is the case that I could investigate most extensively. The facts that I spent more time beforehand with the relatives, that I stayed not with the team during the exhumation but with the Belgian filmmakers, and that I conducted more interviews in the town in people's homes rather than on the exhumation site gave me more independence from the team and therefore a closer relationship with the relatives. This was important to understanding their perspectives. Therefore, the Chillón exhumation meant a breakthrough for my focus on 'frictions': from then on, rather than interpreting the ARMH as representatives of the relatives and local communities, I saw the local initiators, families, and exhumation associations as separate but connected groups.

The nine victims in the grave were men between seventeen and forty-four years old. They were miners, farmers, and one teacher. As said before, Ciudad Real was Republican until the very end of the Civil War. In Chillón, no-one was killed by Republican violence, but the land was redistributed and the church damaged. Some of them had responsibilities in socialist, republican, and libertarian parties and unions, or the *Casa del Pueblo* (in Chillón the seat of the socialist and communist party and youth), and the town council or judiciary during the Republic, others had defended the Republic in the war, others were just well read.

Eight of them were they were imprisoned in May 1939 together with tens of others by Falangists in a provisional prison in the town chapel. Some had to do forced labour. The nine were transported on a truck early in the morning June 3, 1939, to a field 10 kilometres outside of the village, 'El Contadero,' where they were executed and left in an open pit that was there because military material had been exploded there at the end of the war. The families had been told they that their relatives had been transported to a prison in the neighbouring town. Only after five days, the news arrived that the nine had been killed and that their bodies lay exposed in 'El Contadero.'<sup>159</sup> The news

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<sup>158</sup> See Appendix: Sarah Vanagt and Katrien Vermeire (dir.), *The Wave*, 2012, 20min., in *Dust Breeding/The Wave*, eds. Sarah Vanagt and Katrien Vermeire (Brussels: Balthasar, 2014), DVD.

<sup>159</sup> See ARMH, *Informe de la exhumación de una fosa común en Chillón (Ciudad Real)* (Ponferrada, 2012).

disturbed the Catholic procession that was going on for 'Corpus Christi,' and some relatives approached 'El Contadero' to find the decomposing bodies. They could hastily bury them before the Guardia Civil stopped them, and one relative left a rock to mark the site. The families of the nine were subjected to fines, and the women to gendered violence such as shaving their heads and parading them around town. Some families were pestered until they left town.

In the 1960s, Valentín García, son of one of 'the nine of El Contadero,' as the *represaliados* were called, placed a commemorative plaque on a tree next to the mass grave. In 1988, the families, together with the local socialist party, erected a monument on the site. The owner secured access to his land, and since then, the families, and some members of the socialist party, visit the site yearly on All Saints' Day (November 1) and/or Labor Day (May 1).

This exhumation had been initiated by two local historians, Luis Miguel and Jerónimo, when they presented their book on the nine *represaliados* of their town in 2009.<sup>160</sup> Luis Miguel is a relative of one of the 'Nine,' and Jerónimo the mayor (PSOE) of Chillón. One family, the Garcías, had expressed clear disagreement with a possible exhumation, but they respected the wish of the other families. Ten days before the exhumation would start, Jorge and I interviewed Valentín García, and to our surprise – and that of the ARMH vice-president when we called them – he did not know that the exhumation, which he still opposed, would start that month.

On October 25, the ARMH team arrived and held a town meeting. The first part was public and was a pedagogic explanation on the aims of the ARMH and on the exhumation and reburial process as they had taken form in other towns. We also took the opportunity to explain my aims and those of the filmmakers. The second part was only for the families, and in this part the Garcías expressed their disagreement and concerns again (see fig. 11). They said they did not feel the need to rebury their dead in the cemetery and that they did not want to know more than they already knew. After some discussion, they agreed with the exhumation, as long as the reburial would be collective. The same afternoon, the ARMH started digging, but tensions remained palpable.

The search started with a hired excavator right next to the monument. In the first slot already, at around 2,2 meters, a skull with a bullet next to it were found. Everyone was very relieved. When the grave had to be cleared further, however, the monument had to be removed. The plaque with their names and photographs could be spared, but the structure itself was demolished. Underneath the monument, the plaque that Valentín García had made was found.

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<sup>160</sup> Jerónimo Mansilla Escudero and Luis Miguel Montes Oviedo, *El crimen de El Contadero: Los nueve asesinados de Chillón (3 de junio de 1939)* (Chillón: Jerónimo Mansilla Escudero, 2009), 42.

The manual work of clearing and documenting the grave could begin. As always, the bones were cleaned and documented *in situ*. The fourth day, the ARMH team went to the Guardia Civil in Almadén to denounce their find of human remains that bore signs of violence. Although they do this in every exhumation, Chillón was the first exhumation I attended where the local judiciary actually responded. Instantly, civil guards came to the exhumation site, halted the work, and asked identifications of everyone present, including relatives. After hours of waiting, the judge arrived, and after some minutes she decided that the ARMH had to take responsibility for the chain of custody of the remains. The final days, the remains were lifted from the grave, wrapped in newspapers, stored individually in cardboard boxes, and transported to the ARMH laboratory.

Many people were involved in the exhumation (see fig. 27). Among the volunteers were a German writer who wrote an article in *Der Freitag* about the exhumation<sup>161</sup> and Guillaume (pseudonym), a French student in political sciences who worked with the ARMH for several months. Psychologist Ramón was there to accompany the relatives, and he included a psychosocial report in the final report on the exhumation. The two Belgian filmmakers were shooting images daily at the exhumation site. I functioned as a mediator between them, the team, locals, and relatives, and we conducted some interviews together.

Many villagers and relatives came to visit the exhumation. Relatives came from the bigger cities on weekends, and many, especially the younger generations, got to know relatives of other families of ‘the nine’ for the first time. The archaeologist explained the process every day at the end of the workday, and the older relatives explained their family history to the kids that passed by (see fig. 29). On All Saints’ Day (November 1), tens of relatives gathered at the site. Many of them placed flowers at a collage portrait of ‘the nine’ that had been placed next to the pit (see fig. 12). A grandson of one of the victims read the speech that had been written for the last May 1 by the mayor. Surprisingly, the García family became one of the most involved families in the exhumation: they visited the team daily and brought them food and drinks. By the end of the exhumation, they had changed their minds completely. The ARMH team, however, met more resistance to the exhumation. Most opponents of the exhumation stayed away from the Contadero, so these conflicts occurred mostly in the village. The team even had to change hostels because of fierce discussion with the owner of the first hostel.

Nine bodies were found (see fig. 20), along with many objects such as shoes, coins, belts, a coat, and a comb. The bodies showed evidence of bullet wounds, and some had their hands tied. The bones were too far deteriorated for DNA analysis, but the families had also agreed that they did not need to know individual identities. Since the case was

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<sup>161</sup> Verena Boos, “Die Anordnung der skelette,” *Der Freitag*, January 19, 2012.

so well documented, there was no doubt that these were ‘the nine.’ The only doubt that there might have been a possible tenth Portuguese victim had been removed.

Due to the depth of the pit, the rain, the interference of a judge, and the work of the filmmakers, the total time of the exhumation was seventeen days, which made it the longest ARMH exhumation. The team also switched volunteers because many volunteers cannot free up their time like this, but the nuclear team worked nonstop. Add the initial tensions with the García family to this, and this was a very intense experience for everyone involved. The last day of the process, when the ARMH had already left and a local, actually a relative of one of ‘the nine,’ was refilling the empty pit, other relatives placed the collage portrait and flowers at the site (see fig. 37).

On May 1, 2012 the local PSOE organized a reburial ceremony in the town hall. I was able to arrive one day earlier to observe the preparations. It was a public and impressive ceremony, attended by almost 1,000 people, the majority of whom were relatives and people of Chillón.<sup>162</sup> There were also some regional memory activists, sympathizers of the ARMH, a German holocaust victim who was interested in the ARMH’s work, and journalists. All relatives sat in front. There were speeches by the mayor Jerónimo (PSOE), by the ARMH vice-president, and by one person from every family. The ARMH volunteers gave a box, wrapped in red cloths, with a white rose on top and the collage portrait of ‘the nine’ attached, to each family, a very emotive moment for many relatives (see fig. 16). Thereupon, the relatives carried the boxes in a procession on foot to the town cemetery, which was too small to fit all attendants in (see fig. 17). There, some last words were said, a peace dove released, and the boxes were buried in a new, collective tomb with the old plaque of the monument on top. The boxes were numbered according to the archaeological report, in case of more identification possibilities in the future. One woman buried some soil of the grave of her grandmother, widow of one of ‘the nine,’ in the grave. The day ended with a meal, but since this was the yearly May 1 meal of the PSOE, some families, like the Garcías, did not participate in this. After the reburial, it was decided to plant, on the Contadero, where the owner had taken away the entrance, nine olive trees.

### *Exhumations during the transition*

During my fieldwork, I also gathered sources about another historical cycle of exhumations. Ever more it becomes clear that there have been exhumations of Civil War graves in Spain ever since the beginning of the war. A peak in exhumations was reached right after the first democratic elections in 1977, in regions such as Navarra, La Rioja,

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<sup>162</sup> See Efe, “Recuperan de una fosa a nueve fusilados en 1939 y los entierran en el cementerio,” *El Mundo*, May 1, 2012, accessed January 10, 2015, <http://www.elmundo.es/elmundo/2012/05/01/espana/1335886200.html>.

and Badajoz.<sup>163</sup> I conducted interviews on some of these exhumations, mainly in Badajoz. In the end I only focussed on the current cycle of exhumations, so I mainly used these exhumations to contextualize my research and compare the old exhumations with the new. Next to the gathering of additional sources, I conducted some interviews. With colleagues Jorge Moreno and Zahira Araguete we conducted interviews and gathered sources, including a video, about exhumations in Valle de la Serena and Higuera del Valle (Badajoz, 1979). And lastly, Moreno and I interviewed the brother of ‘Chaqueta Larga,’ a famous *maquis* in Ciudad Real, about how he had exhumed the remains of his brother with his own hands in the 1980s.

## 2.6 Sources: Multiple data collection techniques

### 2.6.1 Interviews

*“I hoped they would shoot me too and I was going to say “Viva la República y vivan mis padres,” but instead there was no shooting but instead the doing of the things.” Maria in Ernest Hemingway, For whom the bell tolls.*

A common task that social anthropologists in the Spanish exhumation movement undertake, and that I as well took on, is to record, on video, individual life testimonies of victim’s relatives, through non-structured interviews *a pie de fosa* (at the foot of the burial pit). This fits with the concern of the memory movement to recover and preserve a memory that is dying out. Francisco Ferrándiz had developed a protocol and informed consent for social anthropologists working with Aranzadi, so in the exhumation of La Mazorra I used this protocol. However, this does not mean that this study is an oral-history project, since these interviews, even if I conducted them myself, were *part* of my

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<sup>163</sup> See: Francisco Espinosa Maestra, “La memoria de la represión y la lucha por su reconocimiento (En torno a la creación de la Comisión Ministerial),” *Hispania Nova* 6 (2006); Antonio Hernández García, *La represión en la Rioja durante la Guerra Civil* (Logroño, 1984); Gregorio Herrero Balsa and Antonio Hernández García, *La represión en Soria durante la Guerra Civil* (Soria: Asociación Soriana ‘Recuerdo y Dignidad,’ 1982); Marije Hristova-Dijkstra, “Memoria, olvido y la apertura de las fosas comunes de la guerra civil en 1978–1981 y 2000–2006” (Master diss., University of Groningen, 2007); Ramón Sender Barayón, *Death in Zamora* (Albuquerque: University of New Mexico, 1989); J. M. Sánchez y Torreño (dir.), *Fosa* (DVD). Óculo Asociación Audio-Visual, 2011 (32 min.); Serrano Moreno, “La construcción de una memoria colectiva a pie de fosa: El paso del luto privado a la exhumación de 1979 y la movilización por la revisión de la Historia en Murcia” (paper presented at XII Congreso de Antropología de la F.A.A.E.E., León, 2011).

research object. As Ferrándiz explains, what was at first a methodological tool, interviewing, soon turned into a crucial “memory-building ritual” that was encouraged by the exhumation movement, since it gave an “unprecedented legitimacy to the act of giving testimonies.”<sup>164</sup> This required a constant reflexive awareness of the performativity of my own interviews. First of all, the interviews are, as Ferrándiz also explains, a powerful tool for the exhumation movement to probe “areas of social silence,” to make the silenced past public. This meant however, that our interviews were often breaking previous or local habits, rules, or taboos about which memories were supposed to be kept private in the village. During an interview that I conducted together with visual anthropologist Jorge Moreno, we faced fear from our informants. In the middle of the video-interview, our two informants, relatives of a family with several Republican victims, stopped the interview. When we asked what they were afraid of, the answer was, “*la intimidación del pueblo*.”<sup>165</sup> Second, the way in which interviews were usually conducted in the wake of exhumations revealed a lot about how the exhumation movement represents the past. I carefully observed the protocol that was followed, the settings used to interview informants (for instance, how the exhumation movement uses and encourages interviews *a pie de fosa*),<sup>166</sup> which informants were proposed to me,<sup>167</sup> whether or not informants were giving ‘desirable answers,’ and how the discourse of informants evolved in the course of an exhumation.

I conducted a range of interviews (see fig. 18), between formal and semi-structured and informal conversations. The more formal interviews were conducted *a pie de fosa* or in the homes of the informants and were recorded on camera or audio equipment. These interviews were mostly individual; sometimes there were other persons present, for example relatives or local activists; and sometimes I did group interviews, especially *a pie de fosa*. The video-interviews took the form of life histories in which the interviewer lets the informant form his or her own narrative structure, because the Aranzadi protocol advised this and because the videos were often intended to be used later for a documentary or the archive of the exhumation movement. The interviews with only audio equipment took more the form of a dialogue in which I alternated life-history with concrete research questions of mine. My results, however, were also deeply informed by the many informal, *ad hoc* conversations, with individuals or several informants together, as they happened spontaneously around the exhumation. In these

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<sup>164</sup> Ferrándiz, “Rapid response anthropology,” 19.

<sup>165</sup> Ernesto and Hugo Prado (relatives of one of ‘The Nine’ in Chillón), interview in their home, video-recording by Jorge Moreno, Puertollano, October 21, 2011.

<sup>166</sup> See Renshaw, *Exhuming Loss*, 51.

<sup>167</sup> From which informants were proposed to me, I could, for instance, deduct who the exhumation associations put forward to represent the dead and the past. In Chapter 5 I further examine this issue of what I call ‘privileged representatives.’

conversations I interfered as little as possible; I just was there if anyone wanted to talk. I observed and recorded them with audio equipment or only took notes.

For the interviews on video I often collaborated with others, such as visual anthropologist Jorge Moreno, who lives and works in the province of Ciudad Real. Working with a local had the advantage that he knew the local context and language better, and we more easily obtained access and trust. The ice was broken much faster when the informants could situate him in the local network of families and politics (*de quién eres?*). Working in a team, however, I had less control over the interview than when I worked on my own, and I was hampered by the fact that women were not trusted to talk much about politics and, related to that, about the Civil War past. As a team, we did not get access to the experience of the women when we were interviewing a couple, and sometimes I also had difficulty entering the conversation.

The interview style varied, but an open structure served my research goals best. My initial questions depended upon the fieldwork setting and could include, especially in the context of exhumations, open questions about the informant's life and family history, the community's history concerning the Civil War, Francoist repression, the mass grave; also how memory was transmitted in the village and family. Formal video-interviews usually started with requesting basic facts such as the informant's name and age and his or her link with the victims. I also needed time in the interviews for context information about the history and memory of the village: who was who, who knew what, etcetera. As said, interviews in the close proximity of the mass graves had become a habit for the exhumation associations themselves, like for researchers in oral-history projects and social anthropologists Ferrándiz and Renshaw. I combined these *a pie de fosa* interviews with interviews in the homes of the informants.<sup>168</sup> The mass grave environment was emotionally charged, and the presence of family, neighbours, and the exhumation team distracted informants. Moreover, it led to 'desirable answers' and informants copying the discourse of the exhumation movement.<sup>169</sup> However, staying around the exhumation site had the advantage of being continuously able to collaborate with the exhumation team and observe the whole process. At the same time, my interviews in that setting also influenced the process, for instance by giving "legitimacy to the act of giving testimonies" with my academic affiliation.<sup>170</sup> Interviews in the confined space of the home, though, could be intrusive, but the silence and the camera

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<sup>168</sup> Also see Renshaw, *Exhuming Loss*, 51–52.

<sup>169</sup> In Chillón, for instance, the sentence "we can't leave the dead where they were left by the perpetrators," introduced by the ARMH vice-president the first day of the exhumation, echoed around the exhumation site days after.

<sup>170</sup> Ferrándiz, "Rapid response anthropology," 19.

often added some weight to the interview that resulted in profound and personal testimonies of elderly Spaniards who eloquently filled hours with their stories.<sup>171</sup>

There are as many approaches to the use of informed consents as there are research projects. From the beginning, I decided to choose a transparent approach over covert research.<sup>172</sup> I based the interviews on the protocol provided by Francisco Ferrándiz for working with Aranzadi and combined this with constant deliberation with the ARMH, other researchers in the field, and visitors to the exhumation themselves, mainly the relatives.<sup>173</sup> From my third exhumation on, I used a printed informed consent, also based on Aranzadi's, but due to the informal and brief character of many of the conversations, I do not have an informed consent from all informants.

To decide whether I would render my informants anonymous, and to what extent (using pseudonyms for informants, or also for villages, describing the profile of informants, etc.), I had to consider various concerns. On the one hand, the need to protect the privacy of the informants and not violate their trust in this regard was not just a theoretical matter in Spain; due to the sensitivity of the subject and the vulnerability of the republican families, many informants are still afraid to come out with their story.<sup>174</sup> Especially descriptions of the repressive violence were often explicitly prohibited from being published, in order not to upset the *otro bando* of the village, with whom many of my informants lived closely together.<sup>175</sup> Furthermore, many informants were not capable of assessing the impact of their words in different formats such as an academic article in English or a book published in Spanish. Even if some informants stated *quiero que se sepa* (I want that it is known), I had to be careful to which audience they were referring: the people present around the mass grave? the village? the international community?

On the other hand, the uncovering of public secrets is one of the goals of the memory movement, for which testimony-taking plays a vital role.<sup>176</sup> Currently, the exhumations are intended as public events, where journalists and researchers are welcome to record testimonies and disseminate them in other contexts. In the seventies in contrast, in one

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<sup>171</sup> Also see Renshaw, *Exhuming Loss*, 40.

<sup>172</sup> For an example of covert ethnographic research: Li, "Ethical Challenges."

<sup>173</sup> Unlike in many other universities, in our faculty, ethnographic research is neither checked by an ethical commission nor given any strict ethical rules.

<sup>174</sup> Layla Renshaw, for instance, does not use real names, of both informants and even field sites, in order to "protect the identity" of her informants, "in recognition of the sensitivity of the material under discussion." In: Renshaw, *Exhuming Loss*, 44.

<sup>175</sup> In Oropesa. for example, a woman told a story of how the widows of the victims were prohibited from crying on the main square by the wife of the mayor at the time, but this story was considered too provocative, so I was explicitly prohibited from recording the conversation. (Conversation during exhumation, fieldnotes, Oropesa, November 10, 2010.)

<sup>176</sup> Ferrándiz, "Rapid response anthropology," 19.



case of an exhumation in Navarra, information was gathered with the help of a priest who gathered information under the secret of confession. In the context of the Argentinean exhumations of the disappeared of the dictatorship, the forensic team therefore notes the irony of using pseudonyms in its reports: “We could not fail to notice the paradox of the fact that the history of these persons, whose identity was suppressed during the illegal repression, appears here with a false surname.”<sup>177</sup> If we, researchers working in the current Spanish memory movement, want to contribute to the acknowledgement of memories about the repression that had been silenced for years, we should support the informants who want to make their story public.

In the end, I decided to make almost all interviews anonymous through use of pseudonyms or a description of the profile of the informant, except for public figures making public statements, and some of my most important informants of the ARMH who gave explicit permission to use their names. In contrast to Layla Renshaw, I did not make the villages anonymous, in order to be able to contribute to the new history that the memory movement aims to write of the Francoist legacy in Spain and to give my informants the opportunity to read and respond to my representation of their story. I believe that in any case there is always a possibility that insiders are able to identify some informants on the basis of what we write. In conclusion, by preserving anonymity we unfortunately hinder ‘making the private public,’ but by using exemplary stories I think anonymous informants can serve as *representatives of a collective*. Not surprisingly, in the context of a memory movement, researchers as well sometimes face the same dilemma, as one supporter of the memory movement expressed it, of “how to maintain the respect for the wish for silence” and privacy of some families, along with the collective right on memory of the contemporary society and one’s own “social responsibilities” for this.<sup>178</sup>

Since most of my interviews started as spontaneous dialogues around the mass gravesites, the skills I needed were mostly “mundane interactional ‘methods.’”<sup>179</sup> The circumstances were very sensitive, however. Especially for older informants directly related to the victims, I needed to learn to listen to silent voices and unspoken stories. In Oropesa, Liberto, after days of remaining silent, told me nothing else except “did you know, that I still can’t sleep?” (See fig. 19)

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<sup>177</sup> Mauricio Cohen Salama, *Tumbas Anónimas: Informe sobre la Identificación de Restos de Víctimas de la Represión Ilegal* (Buenos Aires: Catalogos Editora, 1992), 13.

<sup>178</sup> Woman in audience during question-and-answer session, public lecture of Viçenc Navarro, 10 years ARMH, audio-recording, Ponferrada, October 23, 2010.

<sup>179</sup> Tim Rapley, “Interviews,” in *Qualitative Research Practice*, ed. Clive Seale et al. (Los Angeles, London: Sage Publications, 2007), 25.

“In-depth” interviewing, a type of conversation in which the interviewer is greatly involved,<sup>180</sup> was almost inevitable, especially in a verbal culture as the Spanish one. With some informants I built a close rapport over the weeks of an exhumation, and we engaged in collaborative dialogues in which we both shared emotional experiences, something Tim Rapley calls “strict reciprocity.”<sup>181</sup> Self-disclosure on my part was hard to avoid, since many of my informants expected me to share my own opinions and feelings (e.g., by frequently asking “qué opinas tú?”), and they also responded to that. This engagement soon led to what Tim Rapley calls “intimate reciprocity.”<sup>182</sup> Staying silent in Spain will get you nowhere, including in interviews. Informants from the memory movement observed and discussed my work methods, expected honesty about my opinions, wanted to know my personal life back home, etc. Older victims’ relatives treated and trusted me like a grandchild, and I listened as a grandchild with unusual time and attention for them. Another form of reciprocity (what Johnson would call “complementary reciprocity”),<sup>183</sup> still has to take place. Ferrándiz and Etxeberria aim to store all interviews done in the wake of exhumations in a centralized public archive of their research project ‘Las políticas de la memoria.’

## 2.6.2 Participant observation and fieldnotes

Interviews alone were not sufficient for my study of the memory movement. While ‘oral history’ has become a common method for historians,<sup>184</sup> participant observation better suited my research questions about how the exhumations construct history. How victims’ relatives narrate their past in interviews was actually part of the interactions during exhumations that I wanted to observe. Not all memory practices can be articulated in interviews, so this observation was essential. I needed to observe the whole memory practice of exhumations: the encounter between victims’ relatives, local politicians, ARMH volunteers, local press, etc., in the exhumations, reburials, and all related activities.

‘Participant observation’ is a term used to describe a data-collection technique in the field that includes a mixture of observation and interviewing: it is a “way to collect data in a relatively unstructured manner in naturalistic settings by ethnographers who observe and/or take part in the common and uncommon activities of the people being

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<sup>180</sup> Rapley, “Interviews,” 23-24.

<sup>181</sup> Ibid., 23.

<sup>182</sup> Ibid., 24-25.

<sup>183</sup> Cited in Rapley, “Interviews,” 24.

<sup>184</sup> See, e.g., Paul Thompson, *The voice of the past*, (Oxford: Oxford University Press, 1978); Robert Perks and Alistair Thomson, eds., *The oral history reader* (New York: Routledge, 1998).

studied.”<sup>185</sup> ‘Participant observation’ does not mean that the researcher is participating all the time. Usually ethnographers just help out: I had to participate enough to understand how the exhumations ‘worked,’ but doing archaeological work all the time would prevent me from studying all the different actors, from writing the necessary fieldnotes, and from interpreting and checking the emergent interpretations.<sup>186</sup>

The skills needed for participant observation are often only learned in the field. As Delamont states, “You cannot teach people how to play without a piano. It’s only by playing they can learn, and I think fieldwork is like that.”<sup>187</sup> I chose to work without an interpreter in order to have a personal dialogue with my informants, so I had to improve my Spanish language skills while living with the ARMH. I developed a sensitivity for all kinds of encounters in the field: for silences, relationships between actors, feelings of intrusion, etcetera. Lastly, I had to learn to write my own fieldnotes, a long neglected area of participant observation.<sup>188</sup> I combined jotted notes, written in the field during the events, with full written or digital notes written at night, completed with additional information later. Writing these full notes at night often happened when I was overwhelmed by the events or tired after a long day in and around the mass grave. When I took more time, out of the field, to review my notes more profoundly, it gave me a wider perspective on the on-the-spot notes I had been writing in the field.

In general, informed consent is less clear-cut in case of participant observation than of interviews. Researchers, for instance, use informed consent of a leader or representative of the group rather than of all its individuals. However, I could not assume that the exhumation teams represented other stakeholders involved in an exhumation, such as victims’ relatives. Concretely, my participation in an exhumation usually started with an invitation of the ARMH or Aranzadi. For Aranzadi I had to explain my research project the first night of the exhumation, and I also drew up an informed consent for the whole exhumation team in order to be very clear about the fact that they, and not only the victims’ relatives, were part of my research objects. However, in changing environments such as exhumations, ensuring that everyone always knew that I was a researcher or that I was “writing a book” was not always easy: in some exhumations I had the opportunity to present myself and my research project to the exhumation team and/or local community beforehand, but most of the time I had

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<sup>185</sup> Katleen Dewalt, Billie Dewalt, and Coral Wayland, “Participant Observation,” in *Handbook of Methods in Cultural Anthropology*, ed. Russel Bernard (Walnut Creek: Altamira, 2000), 260; Cited in Viane, “Voices from the Shadows,” 90.

<sup>186</sup> Sara Delamont, “Ethnography and participant observation,” In *Qualitative Research Practice*, ed. Clive Seale et al. (Los Angeles, London: Sage Publications, 2007), 206.

<sup>187</sup> Delamont, “Ethnography,” 211.

<sup>188</sup> Emerson, “Participant Observation,” 352.

to continue to explain my presence throughout the exhumation, carrying my camera and audio-equipment visibly around and asking *ad hoc* orally informed consents.

Since I witnessed several occasions where victim's relatives were feeling uncomfortable being observed or filmed without knowing the researcher sufficiently, I approached informants with great caution and patience.<sup>189</sup> And although taking notes openly in the field can be intrusive as well,<sup>190</sup> I jotted notes at the exhumation site, to remind all participants that I was a participant *observer*. But even if I was transparent about my role, a lot of conversations during my observations happened 'off the record,' without informed consent. This is the reason why many quotes in this study come from formal interviews and public statements rather than from informal conversations and observations around the graves. The latter, however, have informed my results to a great extent.

### 2.6.3 Literature, documents, and additional sources

To study not only the practice but also the discourse of the memory movement, and to get a more rounded view of Spanish memory politics, I gathered additional sources on the studied cases: reports, conventional media, new online social media such as blogs and Facebook, but also documentaries and television series. In this area as well, reflexivity was needed: media coverage on the memory movement, depending on the newspaper or journalist, is often aimed at supporting one view or another,<sup>191</sup> and the online social media networks of different memory associations and activists were once more a sphere where activism and scholarship, the public and the private, met.

Second, I collected sources that helped to contextualize the memory movement internationally. To this end, I mainly studied the discourse of international memory and transitional justice scholars and practitioners in academic literature and reports.

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<sup>189</sup> In Chillón especially, there were some problems with researchers filming informants in tense situations.

<sup>190</sup> Forbert M. Emerson et al., "Participant Observation and Fieldnotes," in *Handbook of Ethnography*, ed. Paul Atkinson et al. (London, SAGE Publications, 2001), 356.

<sup>191</sup> Journalists such as Natalia Junquera (*El País*), Diego Barcala (*Público*), and Patricia Campelo (*Público*) are journalist with a great personal interest in, and bounds with the republican memory movement; On the other side of the media-spectrum, a known conservative television program 'Intereconomía' extensively covered the exhumation of Catholic proto-martyrs killed by Republicans.

## 2.6.4 Photo and film

Photo and film have become established research and dissemination tools for anthropologists in the last decades of the twentieth century.<sup>192</sup> In addition to writing fieldnotes, I also recorded my observations with photo and film. I used the photos as addition to jotted notes written in the field, to help me remember and organize my fieldnotes; to illustrate my results in reporting my work; and eventually they should all end up in the archive on the memory movement, organized by Ferrándiz.

Two highlights of this project were my assistance in making two documentaries on exhumations.<sup>193</sup> ‘La Cuchara’ by visual anthropologist Jorge Moreno offers an account of the meaning of the mass grave exhumation for the locals and relatives in Puebla de don Rodrigo; and ‘The Wave’ by filmmakers Sarah Vanagt and Katrien Vermeire, an experimental documentary and flipbook, is based on a time-lapse series of photos of the Chillón exhumation. When these films were shot, reflexivity was needed to observe how the filmmakers represented the exhumation work and how the exhumation team and relatives reacted. These were interesting opportunities to see yet another form of how memory works around the mass graves, but also to be conscious of how the filmmakers influenced the exhumation and to mediate between the team, the relatives, and the filmmakers when necessary.

## 2.6.5 Public history: reciprocity and ethnographic opportunity

Engaged scholarship pays attention to reciprocity and the dissemination of results to non-academic audiences. I hereby found inspiration in anthropology with its concepts of responsibility, accountability, and public history with its goal of knowledge dissemination.<sup>194</sup> Following the example of Francisco Ferrándiz,<sup>195</sup> I did some initial forays into public scholarship, both in Belgium and Spain. Some of these events were not only occasions for knowledge dissemination but also ethnographic opportunities to observe the impact of my work and get response and feedback. So here again I needed to keep my research gaze on alert and observe the interactions taking place. The fact that this type of engaged research is aimed at transforming the situation under study also required reflexivity on the impact of my own presence and words at these events.<sup>196</sup>

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<sup>192</sup> Besteman and Haugerud, “The desire for relevance,” 2.

<sup>193</sup> Links to watch both documentaries can be found in the Appendix.

<sup>194</sup> Besteman and Haugerud “The desire for relevance,” 1.

<sup>195</sup> See e.g. his website “Las políticas de la memoria,” accessed December 15, 2014, [www.laspoliticasdela memoria.org](http://www.laspoliticasdela memoria.org).

<sup>196</sup> Ferrándiz, “Rapid response anthropology,” 22.

I participated in three interesting collaborations. First, I took the opportunity to present the two above-mentioned documentaries in Spain and Belgium. In Puebla de don Rodrigo, Moreno and I presented ‘La Cuchara’ during the Cultural Week. I took the opportunity to contextualize the exhumation for people of the village, and it produced in interesting dialogue between local activists, people from neighbouring villages who were trying to initiate an exhumation, people who had not come to the exhumation but had become curious afterwards, etc. We had to be careful, however. They had placed a republican flag behind our table, and afterwards, the ARMH made it clear that they were not happy about our participation in the event, since they were still negotiating with the town council about repaving the cemetery. Regarding ‘The Wave,’ so far I have presented the film only in Belgium, in different media and settings. For the premiere we invited the ARMH for a public lecture, which was an opportunity for its members to disseminate their work in another network, and in the meantime I also got some feedback on their opinion of how their work was represented in the film.

Second, I collaborated in the exhibition ‘Exhuming mass graves, recovering dignity’ in Brussels. Here the challenges were mainly to reach both the Belgian audience and the Spanish, with an exhibition and speakers in Spanish, and how to find a position between the different organizations organizing the exposition. While the ARMH presented me as its “Belgian contact,” I also needed to collaborate with the Belgian Foro.

Lastly, I did some interviews in Belgium and during some events of the Spanish memory movement. Especially the interviews in Spain had to be understood as a way to seek support and legitimacy within Spain, through interviewing foreign academics specifically about their interest, as outsiders, in the memory movement that many Spaniards did not have: once some colleagues and myself were called the “new international brigadiers.”<sup>197</sup>

## 2.7 Conclusion: An ‘ethnography-scape’ without closure

Exhumation sites in Spain have become sites where everyone observes everyone: the archaeologist investigates the dead, a psychologist listens to relatives of the dead, a researcher observes the archaeologist, and the press interviews the researcher. The exhumations are increasingly “ethnography-scapes” in which everyone becomes connected in a global chain of constructing memory. Besteman introduces this term to

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<sup>197</sup> Emilio Silva, interview by Carlos Agüero, program Contratiempo, Radio Bellas Artes, Madrid, October 10, 2011.

make us think about the impact of our research on global chains, with reciprocal relationships between different places, subjects, readers, and researchers instead of only thinking of the impact of globalization on our research.<sup>198</sup> The chain of memory work in this study indeed connects international human-rights organizations such as the *Madres*, institutions such as the European Union (EU), local communities, and international researchers in, for instance, transitional justice. Unlike the classic historian who is separated in time from his subjects, by doing ethnographic fieldwork my work became part of this chain, and can affect – should affect, in engaged scholarship – the social reality I have been studying. I wanted to study ‘history at work,’ and now my work will become part of the ‘afterlives’ of the bodies of Spain’s pits.

This dissertation indeed is a new step in an ongoing dialogue, a work in progress. The conflicting personal commitments I went through will not be ‘solved’ after writing but are, rather, inherent in any engaged research in a multi-sited setting.

In certain sites, one seems to be working with, and in others one seems to be working against, changing sets of subjects. [...] These conflicts are resolved, perhaps ambivalently, not by refuge in being a detached anthropological scholar, but in being a sort of ethnographer-activist, renegotiating identities in different sites as one learns more about a slice of the world system.<sup>199</sup>

Although historians know their share of revisionism, ethnography takes revisionism one step further. Unlike archives, informants can talk back once this book is written and can give their feedback. In contrast to Ferrándiz, who, living in the field, shares his research on the spot in a “rapid response” way, I still have to go back to the field to share my results. I can only agree with Allen Feldman’s conceptualization of contemporary engaged ethnography, which inspired Ferrándiz’s “rapid response” ideas, as “states of emergency” that are always “in the making,” “beyond theoretical, ethical and methodological closure.”<sup>200</sup>

What is the impact and contribution of my work to this memory chain? Answering the question from Besteman that engaged scholarship goes beyond public scholarship by asking “going public with what?” my aim was to conduct engaged research by enriching the memory debate in Spain with a new, critical perspective. Not making a new normative, definitive judgement about a better way to deal with the past but

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<sup>198</sup> Besteman, “Public anthropology,” 6. She bases her concept of “ethnography-scapes” on Arjun Appadurai’s model of “scapes:” ethnoscares, mediascares, financescares, ideascapes, etc. Arjun Appadurai, “Disjuncture and difference in the global cultural economy,” *Theory, Culture & Society* 7 (1990): 295-310.

<sup>199</sup> Marcus, “Multi-Sited Ethnography,” 113.

<sup>200</sup> Allen Feldman, “Epilogue: Ethnographic states of emergency,” in *Fieldwork under fire: Contemporary studies of violence and survival*, ed. Carolyn Nordstrom and Antonius Robben (Berkeley: University of California Press, 1995), 227; Cited in Ferrándiz, “Rapid response anthropology,” 18.

bringing a new perspective to a debate. “Our job is not to tell other people what to do, but to show that everything could have been different.”<sup>201</sup> Instead of enforcing a conclusion to the question of ‘the victim’s perspective’ or the best way to deal with mass graves, this diversity is what this dissertation will make visible.

In the normative context of transitional justice, where practitioners and scholars seek best practices and disseminate their norms, I think this is an important contribution. My conclusions will not entail direct ‘policy advice’ from a neutral perspective, since the memory debate in Spain is and should be a political issue. It will, rather, offer some new insights from where all actors, depending on their political views and aims, can deduce their own conclusions. In the following chapters, I try to assess the impact of a certain way of dealing with the past, namely the Spanish exhumations, by analyzing step by step each building block of this historical practice and analyzing how this practice represents the past.

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<sup>201</sup> Eriksen, “Anansi,” 17.





## Chapter 3 Truth: Spain's inscription in the international forensic turn

*"Y grito (I cry out) for their truth, for the truth, for the only truth that they were killed for the love of just causes. [...] And I cry out for justice, for that justice that they deserve so much, and that we need so much." 'El grito de Hilda'<sup>1</sup>*

### 3.1 Introduction

To answer the question of what kind of history comes from the Spanish graves, let us first turn to a major aspect of all kinds of history and memory practices: truth claims. What kind of truth claims does the Spanish exhumation movement make? And how does 'their' truth contribute to historical knowledge?

In 2000, Emilio Silva called on the Spanish forensic anthropologist Francisco Etxeberria to search for the remains of his grandfather, a Republican civilian executed by Francoist forces during the Spanish Civil War (1936–1939) and left behind in a mass grave.<sup>2</sup> Since that first exhumation, Etxeberria has become the most important expert in the Spanish memory movement that has exhumed more than 6,000 bodies from about 300 graves, and his expertise has been requested for international investigations. In Chile, for instance, he identified and investigated the remains of the former president

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<sup>1</sup> Hilda Farfante, public speech, audio-recording, Puerta del Sol, Madrid, June 2, 2011.

<sup>2</sup> This chapter is based on a paper that I presented at the 10th biennial conference of IAGS, 'The Aftermath of Genocide', Siena and that will be published as: Lore Colaert, "Excavating a Hidden Past: The Forensic Turn in Spain's Collective Memory," in *Excavating Memory: Sites of Remembering and Forgetting*, ed. Maria T. Starzmann and John Roby (Gainesville: University Press of Florida, 2016).

Salvador Allende and the famous singer Victor Jara, which led to charges against two military men.

Etxeberriá's work forms part of what I call a 'forensic turn' in international memory politics. I use this term to cluster related trends in how societies respond to historical injustice worldwide. First of all 'forensic' points to the fact that the truth sought in these contexts is increasingly limited to truth with a judicial function: facts that can serve as evidence in court. In what Robert Darnton has called a "Rankean rage" or an urge to know history "as it actually happened,"<sup>3</sup> the truth that is sought is "factual and existential truth," and forensic anthropologists can provide this.<sup>4</sup> Therefore, a second aspect of this 'forensic turn' is that the search for evidence leads human-rights investigators to the body.<sup>5</sup> Indeed, forensic mass grave exhumations are increasingly part of societies' response to mass violence. A third aspect of what I compress into the term 'the forensic turn' is that the truth generated by these exhumations, although judicial in original function, is claimed to contribute to the historical record of a violent past. The exhumations aim to fulfil the "right to the truth," an international principle that was formulated in the 1970s and that formed part of discussions about transitional justice.<sup>6</sup> Truth revelation has been increasingly regarded an "absolute, unrenounceable value."<sup>7</sup>

This all leads to a general juxtaposition of the revelation of material evidence that is equalled to truth in general, on the one hand, with forgetting or concealment of truth by the perpetrators, on the other. To sum up, the idea that judicial truth can be found on the victim's body – a truth otherwise concealed by perpetrators – and that this truth contributes to the historical record, is what I call the forensic paradigm of truth.

The mass grave exhumations in Spain happen, contrary to the global trend of the 'forensic turn' outside of a judicial framework. The Spanish exhumation movement is a real grass-roots movement and had to struggle to obtain institutional support. In 2007, it succeeded in placing the Civil War history on the political agenda, resulting in limited subsidies from 2006 until 2012 and in the 'Law of Historic Memory' in 2007. This law failed to provide a legal framework for the exhumations, however, and "subcontracts" exhumations to the associations.<sup>8</sup> All exhumation associations collaborate with

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<sup>3</sup> Cited in Antoon De Baets, *Responsible History* (New York: Berghahn Books, 2009), 155.

<sup>4</sup> De Baets, *Responsible History*, 155.

<sup>5</sup> See Eric Klinenberg, "Bodies that don't matter: Death and Dereliction in Chicago," *Body & Society* 7 (2001), 121.

<sup>6</sup> De Baets, *Responsible History*, 155.

<sup>7</sup> José Zalaquett, cited in Berber Bevernage, *History, Memory, and State-Sponsored Violence: Time and Justice* (New York: Routledge, 2011), 10.

<sup>8</sup> Francisco Ferrándiz, "Autopsia social de un subterráneo: A Social Autopsy of Mass Grave Exhumations in Spain." *Isegoría: Revista de Filosofía Moral y Política* 45 (2011): 537.

professional forensic anthropologists and archaeologists, but a lot of work is done by non-professional volunteers.

The exhumations happen in a legal limbo. The mass graves are considered too recent to be of historical value, since heritage legislation only applies to material older than 100 years, and criminal investigations, according to national laws at least, only deal with found human remains not older than 20 years. Most local judges dismiss the charges of the associations when they find corpses with evidences of violence.<sup>9</sup> This legal limbo has caused ironic situations of exhumation teams receiving letters from heritage institutions, showing no interest in supporting the exhumation, while saying that if the team happens to find coins or other objects of patrimonial value, they should deliver these to the state. Only in 2011, the government published a scientific protocol for exhumations, with the scientific procedures that should be followed when exhuming a mass grave, but it is not mandatory.<sup>10</sup> This naturally poses problems such as a lack of cataloguing and centralizing data, and looting by war enthusiasts.<sup>11</sup> The exhumation associations are worried that the fact that the government has published a 'map of mass graves' without a protocol will lead to amateuristic exhumations.

Nonetheless, even without the judicial function of the exhumations, the Spanish exhumations show many aspects of the forensic turn. The memory movement claims to break Spain's so-called 'pact of forgetting,' installed during the transition to democracy. The memory movement moreover aims to 'recover historical memory': the name of the ARMH, 'Association for the Recovery of Historic Memory,' is significant in this regard. It tries to do so by means of mass grave exhumations and has therefore been coined the "mass grave phenomenon."<sup>12</sup>

This chapter explains first that the forensic paradigm of truth revealing is embedded in the historical context of an international legal fight against human rights violations,

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<sup>9</sup> See Alfredo González-Ruibal, "Making things public: archaeologies of the Spanish Civil War," *Public Archaeology*, 6 (2007): 207, 209; Derek Congram and Dawnie Wolfe Steadman, "Distinguished Guests or Agents of Ingérence: Foreign Participation in Spanish Civil War Grave Excavations," *Complutum* 19 (2008): 166.

<sup>10</sup> Gobierno de España, "Protocolo de Exhumación," Memoria Histórica, accessed December 15, 2014, <http://www.boe.es/boe/dias/2011/09/27/pdfs/BOE-A-2011-15206.pdf>. The national protocol was the fulfillment of article 12.1 of the 'Law on Historic Memory' (Ley 52/2007). It was published in the BOE September 27, 2011, more than eleven years after the first scientific exhumation in Spain. Also see, Ferrándiz, "Autopsia social," 536–537.

<sup>11</sup> Alfredo González-Ruibal advocates for the involvement of these war enthusiasts, and in the ARMH team indeed one of the major collectors of Civil War items, Juan (pseudonym), volunteers. On the legal limbo of Civil War archaeology: Alfredo González-Ruibal, "Making things public: archaeologies of the Spanish Civil War," *Public Archaeology*, 6 (2007): 207, 209; Derek Congram and Dawnie Wolfe Steadman, "Distinguished Guests or Agents of Ingérence: Foreign Participation in Spanish Civil War Grave Excavations," *Complutum* 19 (2008): 166.

<sup>12</sup> Ignacio Fernández de Mata, "The 'Logics' of Violence and Franco's Mass Graves: An Ethnohistorical Approach," *International Journal of the Humanities* 2 (2004): 2527.

pioneered by countries such as Argentina. Subsequently, I explain how the forensic paradigm is appropriated in the Spanish context. I describe how the Spanish exhumation movement applies a truth concept that is embedded in the evidentiary paradigm of science in service of the court and, more concretely, in service of the international human rights campaign against impunity. However, as I just explained, the Spanish context differs from the original context of the forensic paradigm. Indeed, not only is Francoism so far not on trial in Spain but also the mass graves are not unknown by the villagers. Rather, they are subject to a prolonged prohibition on collective and political representation.

This prohibition on collective and political representation originates in the four decades of Francoist dictatorship and in the very nature of the Spanish transition to democracy. When, in 1939, Francisco Franco defeated the progressive Spanish Second Republic, he installed a dictatorial regime that repressed all opposing political identities. When he died in 1975, the major political parties consented to “forget the resentments” of the Civil War.<sup>13</sup> Rather than the Second Republic or the first democracy in Spain, the ‘reconciliatory’ transition became the founding myth of the new democracy in Spain.<sup>14</sup> In this “hegemony of consensus,” there was no room, neither on macro nor microlevel, for political representations of the past.<sup>15</sup>

When the transition appeared to be continuous with Francoism rather than a rupture, many Spaniards resorted to ‘apoliticism,’ an adversity toward, if not a fear of, politics, which has continued until today.<sup>16</sup> During the 2011 protests at Puerta del Sol in Madrid, for instance, the young *indignados* refused Republican flags on the square and stressed that they were not ‘contaminated’ by politics. Rather than a ‘pact of forgetting,’ the transition resulted in a prohibition of political and collective representation of the Republican past.

The exhumation movement faces a great deal of opposition. Especially conservative Spain holds on to the prohibition of political representation that I just described. The

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<sup>13</sup> Paloma Aguilar, *Memory and Amnesia: The Role of the Spanish Civil War in the Transition to Democracy* (New York: Berghahn Books, 2002), 269; Also see Madeleine Davis, Is Spain Recovering its Memory? *Human Rights Quarterly* 27 (2005): 862–864.

<sup>14</sup> See Paloma Aguilar and Carsten Humlebaek, “Collective Memory and National Identity in the Spanish Civil War,” *History and Memory* 14 (2002).

<sup>15</sup> Layla Renshaw, *Exhuming Loss: Memory, Materiality and Mass Graves of the Spanish Civil War* (Walnut Creek: Left Coast Press, 2011), 226.

<sup>16</sup> Salvador Cardús I Ros points to the fact that, even before the end of the transition, some spoke of “political disenchantment” in Spain: Salvador Cardús i Ros, “Politics and the Invention of Memory. For a Sociology of the Transition to Democracy in Spain,” in *Disremembering the Dictatorship: The Politics of Memory in the Spanish Transition to Democracy*, ed. Joan Ramon Resina (Amsterdam: Atlanta, 2000), 26; Also see Susana Narotzky and Gavin Smith, “‘Being *político*’ in Spain: An ethnographic account of memories, silences and public politics,” *History and Memory* 14 (2002).

exhumation movement is accused of “politicizing” the past, “*guerracivilismo*” (civil warism), and even “necrophilia,”<sup>17</sup> and the exhumations are further delegitimized by expressions such as the “law on hysteric memory” or “the bones will be good to cook broth.”<sup>18</sup> Given this adversarial context, the exhumation associations need to constantly legitimize their activities.

Given this context of political contestation, I will argue that the forensic truth concept both helps and constrains the Spanish memory movement. First, the international forensic paradigm has helped the Spanish memory movement to defend its engagement with the past against political contestation. Second, I will contend that the usual judicial function of exhumations frames – and thus inevitably limits – the possible contribution of the exhumations to the Spanish historical record and the rupture in memory politics that the movement aspires. Indeed, the main contribution of the truth generated by the exhumations is individual, factual, forensic truth, which has no direct impact on the lasting prohibition on political representation of the Civil War past installed by the ‘pact of silence.’ Therefore, my quest to understand the reasons for the impact of the ‘mass grave phenomenon’ on Spain’s collective memory will continue in the next chapters and will lead me to other building blocks of collective memory, such as acknowledgement (Chapter 4) and politics of time (Chapter 5).

## 3.2 The international ‘forensic turn’ in memory

In this section, I investigate how the forensic turn emerged in the international realm. I contend that it is embedded in the expansion of the international juridical fight against the impunity of mass violence, pioneered in countries such as Argentina and Bosnia.

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<sup>17</sup> I came across these examples of opposition in: Discussions with indignados at Puerta del Sol, fieldnotes, Madrid, June 13, 2011; Question-and-answer session *mesa agentas*, audio-recording, Universidad Carlos III, Madrid, October 14, 2010; Interview family opposing the exhumations, fieldnotes, Almadén, November 2, 2011. Other examples can be found in: Francisco Ferrándiz, “Fosas comunes, paisajes del terror,” *Revista de Dialectología y Tradiciones Populares* 64 (2009): 80; Agencias, “Rajoy: ‘Abrir heridas del pasado no conduce a nada,’” *El País*, September 2, 2008, accessed December 15, 2013, [http://elpais.com/elpais/2008/09/02/actualidad/1220343425\\_850215.html](http://elpais.com/elpais/2008/09/02/actualidad/1220343425_850215.html); Examples of reactions from supporters of the memory movement against this kind of opposition include: Emilio Silva, “Niebla negra,” in *Desvelados*, ed. Francisco Ferrándiz and Carolina Martínez (Pamplona: Alkibla Editorial, 2011), 14; Ignacio Escolar, “Cinco falacias sobre la memoria histórica,” *El Periódico*, November 3, 2013, accessed December 17, 2014 <http://www.elperiodico.com/es/noticias/opinion/cinco-falacias-sobre-la-memoria-historica-2802229#>.

<sup>18</sup> Statements of opponents of the Chillón exhumation, fieldnotes, Saceruela, November 24, 2011; Interview conservative family during Chillón exhumation, fieldnotes, Almadén, November 2, 2011.

Currently, forensic experts are called upon by truth commissions, local and international tribunals, and victim and human-rights associations all over the world.<sup>19</sup> Ironically, the first nation to use forensic medicine to inquire into human -rights abuses was Nazi Germany in Katyn, Poland. The investigations resulted in official documents proving “crimes against humanity” allegedly committed by the Soviet Union.<sup>20</sup> It was not until the 1980s in South America, however, that forensic anthropology was systematically deployed in human-rights investigations. In 1984, forensic anthropologist Clyde Snow deemed the investigations of the Argentinean truth commission into the disappeared to be unscientific, so he founded the Argentinean Forensic Anthropology Team (*Equipo Argentino de Antropología Forense*, EAAF). After high-ranking officers were convicted on the basis of its evidence, the EAAF began assisting exhumations in Chile and Guatemala, and since then it has investigated atrocities in more than forty countries.<sup>21</sup>

From Latin America, several of the forensic experts went on to assist exhumation operations in East Timor, Rwanda, South Africa, and the former Yugoslavia. From the 1990s onward, the UN-sponsored tribunals for Rwanda and the former Yugoslavia employed forensic scientists in a higher number than ever before. The Bosnian International Commission on Missing Persons, established in 1996, became a new centre of knowledge of forensic exhumations. Several of its collaborators exported their knowledge to the United States in the aftermath of September 11, 2001, and to Iraq to investigate atrocities committed under Saddam Hussein’s regime.<sup>22</sup> As the scientific experts travelled from country to country, “the investigative process in one country,” as Layla Renshaw puts it, became “the precedent and paradigm for the next.”<sup>23</sup> In 2010, the UN Council for Human Rights adopted a resolution in which it “encourages states to use forensic genetics to contribute to the identification of the remains of victims of

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<sup>19</sup> Kirsten Juhl, *The Contribution by (Forensic) Archaeologists to Human Rights Investigations of Mass Graves* (Stavanger: AmS-NETT, 2005), 4.

<sup>20</sup> Thomas W. Laqueur, “The Dead Body and Human Rights,” in *The Body*, ed. Sean Sweeney and Ian Hodder (Cambridge: Cambridge University Press, 2002), 82; Irina Paperno, “Exhuming the bodies of Soviet Terror,” *Representations* 75 (2001): 92.

<sup>21</sup> See Carol Corillon, “The Role of Science and Scientists in Human Rights,” *American Academy of Political and Social Science* 506 (1989): 136-137; Juhl, *Investigations of Mass Graves*, 24-28; Renshaw, *Exhuming Loss*, 9-10; Victoria Sanford, “On the frontlines: forensic anthropology,” in *A companion to Latin American Anthropology*, ed. Deborah Poole (Malden and Oxford: Blackwell Publishing, 2008), 487.

<sup>22</sup> ICMP, “About ICMP,” accessed December 20, 2013, <http://www.ic-mp.org/about-icmp/>; Congram and Steadman, “Distinguished Guests,” 163-164; Sarah E. Wagner, *To know where he lies: DNA technology and the search for Srebrenica’s missing* (Berkeley: University of California Press, 2008), 245-253.

<sup>23</sup> Layla Renshaw, “The iconography of exhumation: Representations of mass graves from the Spanish Civil War,” in *Archaeology and the media*, ed. Timothy Clack and Marcus Brittain (Walnut Creek: Leftcoast Press, 2007), 241.

serious violations of human rights and of international humanitarian law, and to address the issue of impunity.”<sup>24</sup>

The forensic paradigm of objective truth revelation is firmly rooted in the context of the fight against impunity in Argentina and the former Yugoslavia. Human-rights organizations in these contexts needed judicial truth. Judicial truth aims to judge individuals in a definite manner, in an officially sanctioned context, which is why precise categories and a very confined concept of evidence is required.<sup>25</sup> In the context of twentieth-century mass violence, with the widespread terror technique of enforced disappearances, propaganda, and genocide denial by the perpetrators, witness accounts were not considered “truth enough” anymore. Only bodily remains of a crime were deemed “substantial facts,”<sup>26</sup> could unmask the cover-ups of the perpetrators in Argentina and the former Yugoslavia, and fight the “disbelief.”<sup>27</sup> This is how forensic anthropology – a science originating in the nineteenth-century positivist investigative paradigm, when pathologists started to read evidence of injustices in the body – came to the fore. Its reconstructions of the cause of death and the identity of victims support criminal investigations and serve the humanitarian purpose of returning the victims’ remains to the surviving families.<sup>28</sup>

Important for this study is the fact that forensic anthropology has a historical ambition as well. The notion that it is contributing to “the historic record” is typically used to justify the intervention of forensic anthropology.<sup>29</sup> In Argentina, when faced with opposition to exhumations, the EAAF defended itself with the argument that it aimed to give back “a name and a history to those who have been robbed of both.”<sup>30</sup> Consequently, over the last few decades, bodies came to be interpreted not only as

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<sup>24</sup> United Nations General Assembly, “Resolution adopted by the Human Rights Council, 15/5, Forensic genetics and human rights,” October 6, 2010, 1, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/166/12/PDF/G1016612.pdf?OpenElement>.

<sup>25</sup> See Antoon De Baets, “Na de genocide: Waarheidsstrategieën van rechters en historici,” *Tijdschrift voor Geschiedenis* 116 (2003).

<sup>26</sup> Clea Koff, *The Bone Woman* (London: Atlantic Books, 2004), 308; Laqueur, “The Dead Body,” 75, 79.

<sup>27</sup> Klinenberg 2001: 121; For information on the forensic investigations into the enforced disappearances in Argentina, see Bevernage, *Time and Justice*, 35; In the former Yugoslavia, see Juhl, *Investigations of Mass Graves*, 42.

<sup>28</sup> See Laqueur, “The Dead Body;” Suzanne Bell, *Encyclopedia of Forensic Science* (New York: Facts on File, 2008); Mauricio Cohen Salama, *Tumbas Anónimas: Informe sobre la Identificación de Restos de Víctimas de la Represión Ilegal* (Buenos Aires: Catalogos Editora, 1992); Zoë Crossland, “Of Clues and Signs: The Dead Body and Its Evidential Traces,” *American Anthropologists* 111 (2009); Juhl, *Investigations of Mass Graves*, 50; Wagner, *To know where he lies*.

<sup>29</sup> Forensic anthropologist and founder of the EAAF Clyde Snow, cited in Jeff Guntzel, “The bones don’t lie,” *National Catholic Reporter*, July 30, 2004, accessed December 15, 2013, [http://natcath.org/NCR\\_Online/archives2/2004c/073004/073004a.php](http://natcath.org/NCR_Online/archives2/2004c/073004/073004a.php).

<sup>30</sup> Cohen, *Tumbas Anónimas*, 13.



*corpus delicti* or evidence of a crime but also as witnesses to the past.<sup>31</sup> Forensic anthropologists became the new authorities on the past, and laboratories the new archives. Images of exposed remains became prominent metonyms as well – they stand for the Nazi Holocaust, the genocide in Rwanda, or the killings of the Pol Pot regime.<sup>32</sup> In short, forensic evidence has come to stand for a general confrontation with the past; buried or unidentified remains stand for the intention to conceal the crimes.

The fight for the right to the truth, or the “Rankean rage” to know history “as it actually happened” was spearheaded by judicial institutions.<sup>33</sup> Although these institutions claim to contribute to a broader historical record, their truth concept remains embedded in the investigative paradigm of positivist science and law: forensic truth is often reduced to judicial, seemingly unmediated, factual and individual truth, with little room **for** historical explanation or political analysis.<sup>34</sup> “Bones don’t lie and they don’t forget; and they’re hard to cross-examine,” Clyde Snow famously stated, and “you don’t have to nail [the suspect] with five hundred deaths.”<sup>35</sup> Just one or two should be sufficient to get him convicted.”<sup>36</sup>

### 3.3 The forensic turn in Spain

#### 3.3.1 The inscription of Spain in the forensic turn

*“Primer mundo de que?”*  
(The first world of what?)<sup>37</sup>

Today, Spain has adopted some aspects of the international forensic paradigm. Even though the Spanish exhumations are carried out without judicial orders and therefore

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<sup>31</sup> See Crossland, “Clues and Signs.”

<sup>32</sup> See Renshaw, *Exhuming Loss*, 10; On the effects of and responses to images of violence in mass media, see Susan Sontag, *Regarding the Pain of Others*, (London: Penguin Books, 2003).

<sup>33</sup> Term from Robert Darnton, cited in De Baets, *Responsible History*, 155; Bevernage, *Time and Justice*, 10.

<sup>34</sup> De Baets, *Responsible History*, 155; Richard Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State* (Cambridge: Cambridge University Press, 2001), 48.

<sup>35</sup> Cited in Anthony J. Bertino, *Forensic Science: Fundamentals and Investigations* (Mason: Cengage Learning, 2011), 377.

<sup>36</sup> Cited in Corillon, “Science in Human Rights,” 136.

<sup>37</sup> Carlos Agüero, researcher in philosophy and ARMH volunteer, questioning the labels ‘first world’ for Spain and ‘third world’ for South America, in light of the pioneering role of Argentina in the fight against impunity, in comparison to Spain. Meeting in ARMH Madrid office, fieldnotes, Madrid, October 27, 2010.

differ in function from the ‘model’ exhumation campaigns in Argentina and the former Yugoslavia, the Spanish exhumation teams nonetheless immerse themselves in the forensic turn in other ways. Moreover, the teams, travelling through Spain, link the global forensic turn with local communities. We can therefore say that the teams function as “memory activists” and “norm entrepreneurs,” disseminating global memory practices.<sup>38</sup> In this section I ask how the Spanish memory movement has appropriated aspects of the international forensic turn and disseminated them nationwide.

First, the memory movement relies on the international forensic turn to explain and legitimize its activities. For many Spaniards, the memory movement came as a surprise. They associated human-rights crimes with the developing world rather than with their own country. Even the Spanish forensic anthropologist Francisco Etxeberria, who had international experience in human-rights investigations prior to 2000, was “not conscious that there could be that many mass graves in Spain.” Only after a while did he realize that mass graves were part of “his own history.”<sup>39</sup> The Spanish exhumation associations therefore use other countries with an established human-rights reputation as exempla. The two archaeologists who coordinated the exhumation of Emilio Silva’s grandfather in 2000 referred to the Argentinean forensic team and exhumations in Rwanda and Bosnia to explain their involvement.<sup>40</sup> The Spanish memory movement especially takes the Southern Cone as exemplum, because the human-rights investigations in Chile and Argentina are well known amongst the Spanish left, mostly since the Spanish judge Garzón initiated trials against both former *juntas*.<sup>41</sup> Ironically, Chile and Argentina initially adopted the forget-and-forgive approach of the Spanish transition.<sup>42</sup> Since both countries threw their amnesty arrangements overboard and set

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<sup>38</sup> Paige Arthur convincingly describes how ‘norm entrepreneurship’ has become part of today’s global human rights practice: see Paige Arthur, “How ‘Transitions’ Reshaped Human Rights: A Conceptual History of Transitional Justice,” *Human Rights Quarterly* 31 (2009): 358. “Memory activist” is a term by the historian Carol Gluck that refers to activists who break silences, change rules about what can be said and what not, introduce new ways to deal with the past, etc: See Jay Winter, “Representations of War and the Social Construction of Silence,” in *Fighting words and images: Representing war across the disciplines*, ed. Stephan Jaeger et al. (Toronto: University of Toronto Press, 2010), 34.

<sup>39</sup> Francisco Etxeberria, lecture, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.

<sup>40</sup> Emilio Silva and Santiago Macías, *Las fosas de Franco: Los republicanos que el dictador dejó en las cunetas* (Madrid: Temas de hoy, 2003), 56.

<sup>41</sup> Renshaw, “Iconography of exhumation,” 241.

<sup>42</sup> Gregorio Alonso and Diego Muro, “Introduction,” in *The Politics and Memory of Democratic Transition*, ed. Gregorio Alonso and Diego Muro (New York: Routledge, 2010), 1–2.

up truth commissions in the 1980s and 1990s, it is now Spain's turn to look at the Southern Cone as an exemplum.<sup>43</sup>

Second, the Southern Cone also serves as a source of knowledge and experience. For the first exhumation, Silva gathered a team of professionals with international experience in exhuming mass graves: Etxeberría had worked in Colombia; and for the laboratory work, Silva counted on the forensic doctor José Antonio Lorente, who had experience working in Chile, Argentina, and Peru.<sup>44</sup> Over the years, the Spanish exhumation movement set up fruitful collaborations with international institutions, such as the EAAF, which provided advice (and in turn received the DNA of Spanish families with disappeared relatives in Argentina).<sup>45</sup> Individual foreign volunteers as well, both professionals with experience in Argentinean, Chilean, Bosnian, or British forensic institutions and individuals without archaeological or anthropological background, collaborate with Spanish associations.<sup>46</sup> South American lawyers and activists support the legal struggles of the Spanish memory movement; and two Argentinean human-rights organizations, the *Madres* (Mothers) and *Abuelas* (Grandmothers) of the Plaza de Mayo, frequently attend meetings in Madrid.

The Spanish exhumation movement also imported concepts and iconography developed in the Southern Cone into the Spanish context. With the newspaper article titled "My grandfather too was a *desaparecido*," which Emilio Silva published right before the exhumation of his grandfather in 2000, Silva consciously launched the concept of *desaparecido*, a concept that had been crucial in the fight against impunity in South America.<sup>47</sup> The Spanish memory movement appropriated *desaparecido* as part of its standard vocabulary and iconography.<sup>48</sup> In 2010, memory activists started a weekly

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<sup>43</sup> As Sebastiaan Faber expresses this idea: "While Garzón's actions made the Chileans feel embarrassed enough to take the prosecution of Pinochet into their own hands, the thorough work of tribunals and truth commissions in other nations now makes Spain's transition to democracy look strangely unfinished." In: "The Price of Peace: Historical Memory in Post-Franco Spain, a review-article," *Revista Hispánica Moderna*, 58 (2005), 205–219, 212.

<sup>44</sup> Silva and Macías, *Las fosas*, 69–70.

<sup>45</sup> EAAF, "EAAF 2008 missions," accessed December 16, 2014, [http://www.eaaf.org/recent\\_08/](http://www.eaaf.org/recent_08/); EAAF, "Annual Report 2005," accessed December 16, 2014, [http://eaaf.typepad.com/annual\\_report\\_2005/](http://eaaf.typepad.com/annual_report_2005/).

<sup>46</sup> Around 130 of the 1224 ARMH volunteers come from abroad. See ARMH, "14 años recuperando la memoria de la tierra: Informe 2000–2014," Ponferrada, October 28, 2014, accessed October 30, 2014, <http://www.slideshare.net/ARMHMemoria/armh-14-aos-recuperando-memoria>. Also see Silva and Macías, *Las fosas*, 81.

<sup>47</sup> Emilio Silva, "Mi Abuelo También Fue Un Desaparecido," *La Crónica de León*, October 8, 2000, accessed December 15, 2014, <http://www.emiliosilva.org/hace-diez-anos-al-pie-de-una-cuneta/>; On the reasons why he wrote the article and made the link with the Southern Cone, see Renshaw, *Exhuming Loss*, 17.

<sup>48</sup> For a study on how human-rights concepts got translated into the Spanish case, see Francisco Ferrándiz, "De las fosas comunes a los derechos humanos: el descubrimiento de las desapariciones forzadas en la España contemporánea," *Revista de Antropología Social* 19 (2010).

protest at Puerta del Sol in Madrid, walking around the square, carrying portraits of Spanish disappeared – a practice copied from the Mothers of the Plaza de Mayo. Other images resembling South American representations include black-and-white collages of portraits of the missing with blank spots and large black silhouettes with question marks (see fig. 21).

In order to trace how the Spanish exhumation teams have disseminated the international forensic paradigm across a nationwide social movement, it is crucial to understand the mobile and participatory character of the Spanish exhumation practice. Through what I call the ‘mobile seminars’ of exhumations, the forensic teams have been able to build a new *milieu de mémoire* or ‘network of memory.’<sup>49</sup> The ARMH’s network expands as forensic teams travel to the most remote and rural villages and as victims’ relatives travel across the country – and even from Argentina, in the case of exiled families – to exhume missing relatives.

In contrast to countries where exhumations serve strict judicial purposes, the Spanish exhumations are public and participatory. Relatives and villagers help the volunteers by providing accommodation or food, and sometimes they even assist in the excavations. The participatory aspect has a pedagogic effect: At the gravesite, villagers of all ages listen to daily didactic explanations of the head archaeologist. In 2002, the ARMH organized an ‘international camp’ for volunteers from nine nationalities, to spread awareness about the work of the exhumation movement. Since then, foreign volunteers are welcomed as “new international brigadiers” to exchange experiences.<sup>50</sup>

The participatory character of the Spanish exhumations can also turn situations of mistrust, ignorance, or fear into what may eventually become the foundation of a new *milieu de mémoire*. In one village, the ARMH members, outsiders to the close-knit communities, were mistaken for environmentalists, and in another, one victim’s family initially did not give permission to exhume. But later on, in both cases, as a result of intense interaction with the team, many locals became interested in the forensic work, visited the gravesite frequently, and attended exploratory meetings and eventually the reburials. As such, all participants in an exhumation – from Spanish volunteers and foreign students to victims’ relatives – are not only kept informed but also become immersed and invested in “the family” of the ARMH.

In addition to mobile exhumation seminars, a second way in which the Spanish memory movement has disseminated the forensic paradigm is by employing exposed mass graves or images of them to raise historical consciousness. In contrast to countries

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<sup>49</sup> Term from Pierre Nora, see for instance Pierre Nora, “Between Memory and History: Les Lieux de Mémoire,” *Representations* 26 (1989). I will elaborate on this community-building aspect of the exhumation movement in Chapter 4.

<sup>50</sup> Silva and Macías, *Las fosas*, 81.

where exhumations are more officially regulated, in Spain, pictures of mass graves circulate widely. In the beginning of the memory movement, it was hard to publish images of mass graves, but now they appear in various media outlets, including online social media such as Facebook. As said in Chapter 2, the ARMH, for instance during the Rondas de Sol, uses a life-size image of an exposed mass grave to teach history in the streets. In 2013, the association travelled to Brussels to display the photo to confront the European parliament with this part of European history (see fig. 6). During the protest, all text was in Spanish: apparently the ARMH trusted in the unmediated power of the image of the bodies.

The exhumation movement also pays attention to the exposure of the grave. Once the skeletons are exposed, all bones remain in place until the last day of the exhumation, when they are gathered to take to the laboratory for forensic analysis. Etxeberría considers the skeletal remains a “mediagenic ... impression of a terrible injustice.” He considers the encounter with the mass grave a pedagogic moment that “changes the life” of many young people.<sup>51</sup> Because of the opportunities this phase in the exhumation process offers, social anthropologist Francisco Ferrándiz even suggested to forensic anthropologist Etxeberría that he let the grave “breathe” more, and slow down the completion of the exhumation.<sup>52</sup>

A third way the forensic paradigm is disseminated is by the use of mass graves and exhumations as metaphors for ‘forgetting’ and ‘truth revealing,’ respectively, metaphors that draw on the meaning that mass graves and exhumations have in the context of the international forensic turn. In the discourse of the Spanish exhumation associations, mass graves have become metaphors for a truth that was “hidden” by Francoism,<sup>53</sup> that was “sleeping”<sup>54</sup> or “waiting” to be “awoken.”<sup>55</sup> Supporters of the memory movement present mass graves as ‘pits of silence’ or as sites of ‘maximum forgetfulness.’ Imagery circulates of skulls whose mouths are covered by hands or of a mass grave containing a balloon of text that says “silence.” While mass graves have become the ultimate metaphor for Spain’s pact of silence, their exhumation stands for truth “coming to light.”<sup>56</sup> Exhumations are seen as an act of “unearthing memory”<sup>57</sup> or

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<sup>51</sup> Francisco Etxeberría, public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>52</sup> Conversation with Francisco Ferrándiz on the way to the Candeleda exhumation, fieldnotes, May 18, 2010.

<sup>53</sup> “La memoria es de tierra, [...] esconde el testimonio de los crímenes, [...]” in: Emilio Silva, “La tierra ya no duerme,” in *La memoria de la tierra: exhumaciones de asesinados por la represión franquista*, ed. Clemente Bernad and Eloy Alonso (Madrid: Tébar, 2008), 11.

<sup>54</sup> Silva, “Niebla negra,” 11.

<sup>55</sup> Silva and Macías, *Las fosas*, 21.

<sup>56</sup> Silva, “Memoria de la tierra,” 14.

as “digging for history.”<sup>58</sup> With these metaphors, mass grave exhumations have become increasingly equated with truth revelation.

### 3.3.2 The historical contribution of forensic truth in Spain

It is clear that the Spanish memory movement has successfully appropriated the international forensic paradigm and disseminated it nationwide. In the following, I look at how forensic practice in Spain contributes to the movement’s broader project of ‘recovering memory.’ I describe the motivations for the application of forensic anthropology in the Spanish context, its protocol and organization, and discuss what kind of truth the forensic reports reveal.

Emilio Silva had not initially planned to excavate the mass grave of his grandfather with a scientific methodology. His main motive to exhume his grandfather’s grave was a symbolic reparation for his family. He wanted to “change the end of his [grandfather’s] history” by reburying his grandfather’s remains with those of his grandmother and had planned to do the exhumation with his own hands.<sup>59</sup> The day after the publication of his article, however, he received a call from the archaeologist Julio Vidal, who offered his help, together with his wife, Maria Encina, a forensic anthropologist. They gathered an interdisciplinary team of forensic scientists to design the first exhumation as a “precedent” of a “complete model” for exhumations.<sup>60</sup> They conducted an archaeological excavation, a forensic analysis, and the first identification through DNA technology of a Civil War victim in Spain.

In an article titled “*Archeología de la reconciliación*,” Vidal and Encina explain that like other Spanish experts, they felt obliged to provide a scientific standard, to avoid ‘incorrect’ exhumations, and to make sure that mass graves were “catalogued and protected, and even turned into commemorating monuments.”<sup>61</sup> Or in Etxeberria’s words, “When a historian says there are 120,000 murders, he needs to underpin this with a methodology, he cannot say he *guesses* that there are 120,000 ... [The forensic reports] serve to validate an indisputable truth by obtaining the evidence following a

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<sup>57</sup> Emilio Silva, “Las fosas del franquismo, desenterrar la memoria.” *Cuadernos del Caum*, May 2007, 1th edition, 1–16, accessed December 15, 2013. [http://www.caum.es/CARPETAS/cuadernos/cuadernospdf/libro16/Fosas\\_del\\_franquismo.pdf](http://www.caum.es/CARPETAS/cuadernos/cuadernospdf/libro16/Fosas_del_franquismo.pdf).

<sup>58</sup> Shelina Islam and Bodo Marks, “Graben nach Geschichte,” *Kölner Stadt-Anzeiger*, April 18, 2012, 7.

<sup>59</sup> Silva, “Mi abuelo,” Silva and Macías, *Las fosas*, 51; Also see Silva, “Desenterrar la memoria,” 2.

<sup>60</sup> Silva and Macías, *Las fosas*, 69.

<sup>61</sup> Silva and Macías, *Las fosas*, 57.

certain procedure.”<sup>62</sup> The motivation for Spanish forensic anthropologists was thus very similar to that of Clyde Snow when he founded the Argentinean forensic team in the 1980s.

The ARMH and Aranzadi teams have a structure that shows resemblance to the Latin American teams. They consist of a core group of full-time archaeologists and anthropologists, who consult with other experts when needed. The Aranzadi team is part of a broader ‘society of sciences’ and relies on different medico-legal professionals as well as support from the Basque government.<sup>63</sup> The ARMH formed a core group of three people. Only the head archaeologist has a degree in archaeology; the archaeological assistant Nuria and vice-president Marco learned the tasks through experience. Since subsidies were withdrawn in 2012, they face difficulties in financing this core group. For the anthropological analysis of the remains, they depend on (sometimes foreign) volunteer forensic anthropologists.

Aranzadi, the ARMH, and the Foro frequently state that they follow international protocols.<sup>64</sup> The Spanish state published a protocol in 2011, together with a ‘mass grave map.’ However, the protocol is non-obligatory, and the exhumation associations suspected the government of an electoral stunt, claiming that the associations themselves had developed most of the protocol and expressing concern that by using the map, anyone could start an exhumation, whether qualified to do so or not. In this unregulated context, the exhumation organizations follow the standard international protocols. These protocols – from the basic ‘Minnesota protocols’ of the United Nations<sup>65</sup> to the detailed volume “The Scientific Investigation of Mass Graves”<sup>66</sup> – are developed for exhumations aimed at providing evidence for court proceedings.<sup>67</sup> In hopes of legal investigations in Spain, Etxeberría and his colleagues indeed stress that their reports are ready to be validated by a judge.

What kind of truth can we find in the Spanish forensic reports? The first kind of truth forensic anthropologists seek concerns the identity of all human remains in a mass grave, to serve as criminal evidence but also to give the families the humanitarian right to a decent burial. Since the first exhumation, the humanitarian aspect of forensic truth

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<sup>62</sup> Francisco Etxeberría, interview by Laurens Cerulus and me, audio-recording, Brussels, May 7, 2013; Public lecture, 10 years ARMH, Ponferrada, October 24, 2010.

<sup>63</sup> Also see Congram and Steadman, “Distinguished Guests,” 167.

<sup>64</sup> See, for instance, ARMH, “Quiénes somos?” accessed December 15, 2013, <http://www.memoriahistorica.org.es/joomla/index.php/quienes-somos>.

<sup>65</sup> United Nations, “Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions,” U.N. Doc. E/ST/CSDHA/.12, 1991.

<sup>66</sup> Margaret Cox et al., eds. *The Scientific Investigation of Mass Graves* (Cambridge: Cambridge University Press, 2008).

<sup>67</sup> Congram and Steadman, “Distinguished Guests,” 165; Also see Juhl, *Investigations of Mass Graves*.

has been an important motivation for the ARMH, and for most survivors the possibility to give their relatives a decent burial is an important reason to request an exhumation.<sup>68</sup> The ARMH usually combines archaeological methods with information gathered through testimony before and during the exhumation, archival research, and documents provided by the families. In most cases, the DNA identification is thus not necessary, although some Spanish forensic anthropologists prefer not to confirm identities if they are not proven by way of genetic testing.

The second kind of truth the Spanish teams reveal is related to the judicial aim of exhumations: the exhumation teams try to “reconstruct how the victims died,” the ‘final episode’ of the victim’s life. Etxeberría realizes, however, that this forensic truth is very specific and limited. He therefore cautions that one should not expect forensic anthropology to recover the totality of historic memory. While he considers it equally important to investigate the broader question of “why they died,” one may not expect that they “exhume the graves, collect testimonies, go to archives, and take care of political rehabilitation.” However, as Laqueur has pointed out, early forensic anthropologists aimed to read not only a medical cause of death but also social problems and injustices into the bodies of victims.<sup>69</sup> And indeed, Etxeberría regards his discipline a “social” medical discipline: “We also do not say that a child in Africa dies of this or that disease, we say it died of injustice.” To use Laqueur’s words, the Spanish forensic truth creates “limits to interpretation,” but it also does not “speak for itself.”<sup>70</sup> The ‘kernel of truth’ contained in the fact that a certain victim died from a bullet wound in the head can form the basis for a broader historical narrative about Francoist repression. In this sense, forensic anthropologists can be understood as “protohistorians.”<sup>71</sup>

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<sup>68</sup> Silva and Macías, *Las fosas*, 57.

<sup>69</sup> Laqueur, “The Dead Body,” 81.

<sup>70</sup> *Ibid.*, 76–81.

<sup>71</sup> De Baets, *Responsible History*, 155.



### 3.4 ‘Forensic frictions’

*“In this case, with no judicial authority involved [...], of who depends the identification of those corpses? Better said, who decides in the end? Who gives those bodies a name and surname and gives them to the relatives, without any kind of doubt?” (Forensic doctor José Luis Prieto)<sup>72</sup>*

While the Spanish exhumation associations successfully appropriated, disseminated, and applied the main concepts of the forensic paradigm, I here want to contend that the forensic paradigm is somewhat incongruous in the Spanish context, which differs substantially from the original context of the forensic paradigm. Indeed, the Spanish exhumations have – until now – no judicial function; that they do have a humanitarian function, but not always in the individual sense; and finally, their contribution to the historic record is limited.

First, the Spanish forensic evidence is handled outside any judicial framework. The exhumations are intended as forensic but their reports are not used in a forensic context. Exhumations in Spain are usually requested by victim’s relatives instead of a judge; Forensic reports are not controlled by judges but are posted online, distributed to victims’ relatives and volunteers, and stored in the associations’ archives. Tensions between the judicial and the humanitarian goal of exhumations result in a variety of practices and methods of the different organizations.<sup>73</sup> The Foro, for example, objects in theory to exhumations without a judicial framework.<sup>74</sup> The ARMH, in contrast, combines judicial and humanitarian aims insofar as it wants to bring Francoist crimes to trial, but it does not wait for judicial proceedings to exhume, identify, and rebury victims. As ARMH vice-president Marco González puts it, this strategy is chosen because the ARMH works against the clock, given that the ageing victims’ relatives are waiting for reparation. In Spain, although the bodies are investigated as *corpus delicti*, currently the crimes go unpunished, and so far the tension between the judicial and humanitarian aim inclines towards the “balm of closure” instead of the fight for justice.<sup>75</sup>

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<sup>72</sup> Question-and-answer session *mesa agentes*, audio-recording, Universidad Carlos III, Madrid, October 14, 2010.

<sup>73</sup> See Congram and Steadman, “Distinguished Guests,” 166-167; Laqueur speaks about the “tension between truths” or “two functions of the dead body,” namely a “corpus delicti leading to prosecution or some sort of political action” and “how each body becomes the site of mourning.” In: Laqueur, “The Dead Body,” 92.

<sup>74</sup> Although Foro’s discourse often calls extra-judicial exhumations ‘destroying evidence,’ the Foro, too, carries out exhumations without the interference of a judge. Foro por la memoria de Andalucía, “Sin justicia no hay memoria,” *Federación Estatal de Foros por la Memoria*, December 22, 2009, accessed December 16, 2014, <http://www.foroporlamemoria.info/2009/12/campana-de-recogida-de-firmas-sin-justicia-no-hay-memoria/>.

<sup>75</sup> Laqueur, “The dead body,” 92.

The ARMH shows mixed reactions when judicial authorities interfere with their work. Although the organization try to involve the judicial authorities in exhumations, such involvement can at times bring the forensic work to a halt, causing unnecessary fear and chaos among the victim's relatives. Similarly, Aranzadi president Etxeberría expects the state to facilitate human rights investigations but not to lead them, since experts have to be able to work independently. Moreover, since many relatives of victims of Francoism feel neglected by the Spanish state and memory activists consider the democratic state as a continuous successor, volunteers of Aranzadi and ARMH feel that the relatives trust civilians trust independent scientists more than state officials. Due to the mistrust of the state and judiciary, Etxeberría wonders if there a middle course between non-judicial exhumations and complete judicialization, such as truth commissions, would be more suitable to be able to continue the exhumations and keep the broad civil society involved.<sup>76</sup>

Second, while the forensic paradigm equates exhuming mass graves with the revelation of unknown truth, exhumations in Spain often confirm pre-existing local knowledge and are in line with historical research carried out from before 2000 up until now.<sup>77</sup> The two archaeologists collaborating in the first exhumation also wrote that they did not consider the Spanish mass graves an "object of investigation" of archaeological interest, because they could not contribute to the improvement of historical knowledge: "What [the exhumations] could contribute to a better historical knowledge of those facts would be situated in the realm of the insignificant, since these are perfectly well-known facts."<sup>78</sup>

Indeed, the mass graves in Spain are public secrets, known to many locals.<sup>79</sup> The violence during the Spanish Civil War was not concealed, as the forensic paradigm suggests, but highly public and visible. Most of Spain's mass graves were the result of extrajudicial killings of groups of unarmed civilians. The victims were often buried collectively, in a careless manner directly at the site of the killing, either by the

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<sup>76</sup> Francisco Etxeberría, question-and-answer session *mesa jurídica*, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010.

<sup>77</sup> This was also stated by Judge Ramón Sáez Valcárcel of the Spanish National Court (question-and-answer session *mesa jurídica*, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010). He considered the past 'known,' because of the historiography that had studied Francoist repression extensively the last 20 years, and he used this as an argument against the proposal of Francisco Etxeberría in the same discussion for a truth commission in Spain. For a discussion of how historiography and popular historical work was not censored by the 'pact of forgetting,' see Caroline C.P. Boyd, "The Politics of History and Memory in Democratic Spain," *The Annals of the American Academy of Political and Social Science* 617 (2008); And Julius Ruiz, "Seventy Years On: Historians and Repression During and After the Spanish Civil War," *Journal of Contemporary History* 44 (2009).

<sup>78</sup> Julio Vidal and María Encina Prada, cited in Silva and Macías, *Las fosas*, 55.

<sup>79</sup> Silva and Macías, *Las fosas*, 57.

perpetrators themselves or by appointed villagers: sometimes partially or totally uncovered.<sup>80</sup>

Historians also documented the Civil War. Julián Casanova states that the Spanish Civil War is the most studied war in history.<sup>81</sup> Under Francoist rule, historiography had been equal to state propaganda, or left to the Spanish diaspora and Anglophone scholars with no access to Spanish archives, but after the transition, Spanish investigators “took ownership” of their contemporary history.<sup>82</sup> Historians such as Santos Juliá therefore stress that the ‘pact of silence’ was not imposed on historians, given the amount of scholarly and popular historiography on the Civil War written since the transition.<sup>83</sup> Although according to some authors the ‘pact of silence’ did curtail the new Spanish archive-based histories after the transition,<sup>84</sup> by the late 1980s “an explosion of detailed empirical works of history” reconstructed the repression province by province.<sup>85</sup> By 1986 the bibliography on the Civil War included some 15,000 titles.<sup>86</sup> By the time of the first exhumation, about 60% of the provinces had been investigated.<sup>87</sup> The ‘pact of silence’ also, according to Juliá, did not prevent public interest in the Civil War past.<sup>88</sup> According to Caroline Boyd as well, immediately after the transition many popular publications, television programs, and films satisfied Spaniards’ popular interest in the war.<sup>89</sup>

This makes the international concept of the *desaparecidos* somewhat incongruous in Spain. Indeed, local communities often use *fusilados* (those executed) and *represaliados* (those victimized) to refer to the victims;<sup>90</sup> and the UN Working Group on Enforced Disappearances as well does not always consider cases that the Spanish memory movement puts forward as *desaparecidos* as such, when it is known that the person

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<sup>80</sup> Examples of this public aspect of the violence of the Civil War will be discussed in chapter 4. Also see Alfredo González-Ruibal, “Absent Bodies: The Fate of the Vanquished in the Spanish Civil War,” in *Bodies in Conflict: Corporeality, Materiality, and Transformation*, ed. Paul Cornish and Nicholas J. Saunders (Abingdon: Routledge, 2013); Helen Graham, “The Spanish Civil War, 1936–2003: The Return of Republican Memory,” *Science & Society*, 68 (2004): 318.

<sup>81</sup> Silva and Macías, *Las fosas*, 57.

<sup>82</sup> Boyd, “Politics of History,” 135.

<sup>83</sup> See Santos Juliá, “El Franquismo: Historia y Memoria,” *Claves de razón práctica* 159 (2006): 10; Santos Juliá, “De nuestras memorias y de nuestras miserias,” *Hispania Nova* 7 (2007).

<sup>84</sup> Helen Graham, *The Spanish Civil War: A Very Short Introduction* (Oxford: Oxford University Press), 139.

<sup>85</sup> Graham, “Return of Republican Memory,” 323.

<sup>86</sup> Boyd, “Politics of History,” 135.

<sup>87</sup> Graham, “Return of Republican Memory,” 323.

<sup>88</sup> Juliá, “Historia y Memoria,” 10–11.

<sup>89</sup> Boyd, “Politics of History,” 136.

<sup>90</sup> See Layla Renshaw, 2010. “Missing Bodies Near-at-hand: The Dissonant Memory and Dormant Graves of the Spanish Civil War,” in *An Anthropology of Absence: Materializations of Transcendence and Loss*, ed. Mikkel Bille et al. (New York: Springer, 2010), 53–54.

concerned was executed.<sup>91</sup> In most of the exhumations I focused on, information about the victims was gathered through interdisciplinary research, gathering testimony and archival research (see fig. 22).

The material evidence often does not provide a lot of new information. Individual identification is not always possible, due to missing information, deteriorated remains, and the constant lack of funding for DNA identification that the associations face. Unidentified remains are sometimes reburied in numbered boxes in hopes that the identification might later be concluded by means of new technologies; but in one of my cases, all names of the searched victims were engraved on the reburial tomb, even though the bodies were not identified and the number did not match the archival and testimonial research. However, Spain shows that the humanitarian aim of the exhumations can be fulfilled without the individual truth of the forensic paradigm. Aranzadi and ARMH usually return the remains in group, and the victims' families often prefer to keep the memory united with a collective and public reburial.<sup>92</sup>

Finally, the equation of mass graves with forgetting, and their exposure with truth revealing, does not adequately account for memory practices in Spain. In fact, the equation of leaving the graves untouched with 'not wanting to confront the past' holds the risk of dismissing existing ways of dealing with or remembering the past. In many cases, the memory work of local communities involved elderly villagers bringing flowers to the site of a mass grave. In one of my villages, the victims' community had built a monument and organized yearly commemorations at the gravesite: they considered their victims properly remembered. One victim's family, the family García, which was actively involved in the commemorations, objected to the exhumation and stated they did not want to see the exposed grave or know details about the causes of death. They said exhumations looked, "to be frank, quite painful" to them, and when someone else explained them that the forensic report could reveal facts about what "they did to them before the killings," they replied with revulsion, "but would you want to know that?" The family's resistance was interpreted by some ARMH members as a

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<sup>91</sup> See for instance the case of the father of Hilda Farfante, daughter of two fusilated republican teachers and memory activist with her famous 'grito' at the beginning of each Chapter. The UN Working Group on Enforced Disappearances does not consider her father's case an enforced disappearance, "because one has information that Sr. Farfante Rodríguez would have been executed." Office of the High Commissioner for Human Rights, letter to Hilda Farfante, July 22, 2014: in Fuen Benavente, Facebook post, December 14, 2014.

<sup>92</sup> In most of the cases in this study the remains of all the victims in the mass grave were buried together. In two cases, Oropesa and Chillón, the wish for a collective reburial was specifically expressed by the relatives, even before the remains proved to be too deteriorated to identify individually. In Chillón, one of the relatives, Marina Martín, stated, during a meeting before the exhumation, that this was "what they (the nine victims in the grave) wanted. Since they fought together they have to stay together." This collective aspect was also what convinced the García family, that initially opposed the exhumation, to give permission to start exhuming. Marina Martín, town meeting, video-recording by Sarah Vanagt, Chillón, October 25, 2011.

desire to forget. In the end, the monument was removed to start the exhumation. Because the exhumation team followed the guiding principle that “a mass grave does not exist until it is exhumed,” other ways of remembering were essentially dismissed.

Not all aspects of forensic practice are always welcomed by the victim’s relatives. Although the ARMH claims to exhume mass graves only on request from the victims’ families, with different victims being interred in one mass grave, practice does not always live up to this principle. When exhumations start, often not all victims’ families are known and/or contacted yet. In some cases, victims’ relatives object to exhumations, for instance because some relatives do not deem a forensic analysis in the laboratory necessary, as was the case in Oropesa. In the reality of the field, the right to the truth of society is sometimes difficult to reconcile with the “right to silence” that some relatives claim.<sup>93</sup>

### 3.5 Overcoming political contestation

The question that remains is why the international forensic paradigm is so important for the memory movement, if it does not really fit the current context in Spain. What, in other words, is the function of the forensic paradigm of truth-revealing in Spain’s politics of memory? I contend that in Spain, behind the forensic paradigm lies another need, namely, the precarious legitimization of any engagement with the Civil War past. Without any official authority, and given the previously mentioned prohibition on collective or political representation of the past, the Spanish exhumation associations encounter continuous opposition. The inscription in the international forensic turn has helped the Spanish memory movement to overcome this opposition in a number of ways.

First, the apolitical character of legal and humanitarian practices such as forensic exhumations helps to avoid the common accusation that they politicize the past. The investigative paradigm of the forensic exhumations gives the associations an aura of objectivity.<sup>94</sup> Many Spaniards disagree with political commemorations but do respect

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<sup>93</sup> One woman in the audience during the commemoration of 10 years ‘memoria histórica’ for instance explained her dilemma of “how to maintain respect for the wish for silence” and privacy of her family, with the collective right on memory of society and the “social responsibility” she felt towards that collective right. Woman in audience during question-and-answer session, public lecture of Viçenc Navarro, 10 years ARMH, audio-recording, Ponferrada, October 23, 2010.

<sup>94</sup> Renshaw, *Exhuming Loss*, 227.

the right to a decent burial for all. From the start, Aranzadi and ARMH have defined their work in terms of human rights and have stressed their apolitical character,<sup>95</sup> especially in comparison to the communist Foro.<sup>96</sup> This choice is in line with international protocols for mass grave investigations in human-rights contexts, which state that investigators “be apolitical” and “provide impartial advice.”<sup>97</sup> In practice, of course, political representation during exhumations and reburials is left to local dynamics that play out between political activists, victims’ relatives, the ARMH, and other stakeholders. Both Aranzadi and ARMH, for example, allow victims’ relatives to use political symbols during exhumations and reburials. In one of my villages, the reburial was organized on May Day, and someone brought a big Republican flag, which upset some victim’s families. Many ARMH volunteers are also Republican, and the Republican colours are present in the ARMH logo and on their T-shirts (see fig. 44). The leaders of the exhumation movement do not hide the political implications of their work, although they stress that it is not ‘party political.’ Etxeberría similarly stated that “when it comes to human rights violations, professionals have to be impartial, but may not stay neutral.”<sup>98</sup> Distancing themselves from party politics has helped the exhumation associations overcome mistrust in Spanish society and build a new, inclusive network, while at the same time providing space for the expression of political identity, keeping left-wing activists on board. This way, ARMH has been able to attract a broad public of sympathizers of different ages and political backgrounds and has been able to grow into an inclusive grass-roots movement.

A second way in which the exhumations help to overcome political opposition is through scientific professionalism and protocols. The emphasis that all associations place on scientific procedures functions as a means to gain respect and protect themselves against accusations of “necrophilia.”<sup>99</sup> When, in Oropesa, some relatives

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<sup>95</sup> See, for instance, ARMH, “Quiénes somos?” accessed December 15, 2013, <http://www.memoriahistorica.org.es/joomla/index.php/quienes-somos>; Silva and Macías, *Las fosas*.

<sup>96</sup> The Foro protocol explains how the organization combines scientific procedures with its political objectives: “*Aunque en ningún momento olvidamos nuestra intencionalidad política, ni el sentido ideológico con el que hemos abordado esta labor desde el principio, el presente manual está enfocado a poder realizar un trabajo lo más riguroso y objetivo posible [...] La memoria no se puede tratar de forma aséptica. Se trata de la recuperar la memoria de personas que eran en su inmensa mayoría de izquierdas. Es una tarea social y política. [...] Ser beligerantes con quien quiera tergiversar o manipular los datos históricos objetivos.*” (Foro por la Memoria, “Protocolo de excavaciones,” November 2003, accessed January 11, 2015, [http://www.foroporlamemoria.info/excavaciones/protocolo\\_fm\\_nov2003.htm](http://www.foroporlamemoria.info/excavaciones/protocolo_fm_nov2003.htm)).

<sup>97</sup> Cox et al., *Investigation of Mass Graves*, 24.

<sup>98</sup> For instance in Francisco Etxeberría, public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>99</sup> Francisco Ferrándiz, “The Return of Civil War Ghosts: The Ethnography of Exhumations in Contemporary Spain,” *Anthropology Today* 22 (2006): 9; Interestingly enough, members of the Spanish memory movement as

objected to the transport of the human remains to the laboratory and said they preferred to do the reburial immediately after gathering the remains, the ARMH referred to the UN scientific protocol in order to defend the forensic analysis in the laboratory; and in Chillón, victim's relatives cited the accuracy and scientific methodology applied by the forensic team as a reason why their mistrust toward exhumations had dissolved.

Third, although the paradigm of the international forensic turn is sometimes incompatible with the Spanish context, the fact that the exhumation movement aligns itself with the international human-rights movement – drawing on a set of concepts and iconographic representations that are well known and respected in Spain – makes it easier for Spaniards from different political backgrounds to identify with the victims. The collaboration with foreign professionals has lent additional legitimacy to the exhumation work. Not only do these foreigners speak out for the Spanish exhumation campaign to the press or social media<sup>100</sup> but also local residents consider the presence of foreign collaborators a sign of importance.<sup>101</sup>

Fourth, the international concept of *desaparecido* had a particular role to play in the legitimization of the memory movement. Most importantly, the term *desaparecido* – in contrast to *fusilado* – implies a call for action. Indeed, while the latter refers to the irreversible act of killing, *desaparecido* entails an “inherent suspense,” a “liminal status demanding resolution.”<sup>102</sup> In addition, the concept provides a key to legal actions. The ARMH, trying to get the Spanish state to investigate the crimes of Francoism, found a legal basis for its aspirations in the UN Declaration on the Protection of All Persons from Enforced Disappearances, which stipulates that enforced disappearance is an imprescriptible crime against humanity that needs to be investigated by all UN member states. In 2002, the ARMH convinced a Spanish judge to visit an exhumation. In the same year, Silva put the issue of the Spanish disappeared on the agenda of the High

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well accuse the exhumations and reburials that the Francoist regime organized for the victims of the winning side of the war of “necrophilia.” See for instance Francisco Espinosa Maestre of the Sevillian project Todos los Nombres: “In these cases the cult of the fallen turned into a cruel and pathetic joke [...]. Half of Spain in a perpetual necrophilic orgy, and the other half obliged to shut up.” In: Francisco Espinosa Maestre, “La memoria de la represión y la lucha por su reconocimiento (En torno a la creación de la Comisión Interministerial),” *Hispania Nova* 6 (2006): s.p., accessed December 20, 2013, <http://hispanianova.rediris.es/6/HISPANIANOVA-2006.pdf> (last ).

<sup>100</sup> In Chillón, for instance, a German writer collaborated as a volunteer in the exhumation. Afterwards she wrote an extensive article about her experience in her home country: Verena Boos, “Die Anordnung der skelette,” *Der Freitag*, January 19, 2012.

<sup>101</sup> This observation of mine coincides with the experience of Ferrándiz. See, for instance, Francisco Ferrándiz, “The ethnography of exhumations in contemporary Spain,” *Anthropology Today* 22 (2006): 9.

<sup>102</sup> Renshaw, “Missing Bodies,” 53.

Commissioner for Human Rights.<sup>103</sup> These actions led the the United Nations Working Group on Enforced or Involuntary Disappearances to publish several reports, in which UN international expert on transitional justice Pablo de Greiff urged the Spanish government to investigate the human-rights abuses of the past.<sup>104</sup> Eventually, intense collaboration between Argentinean and Spanish activists culminated in a legal investigation, resulting in an international arrest warrant for twenty suspected Francoist torturers in 2013.

Fifth, the choice to employ images of exposed graves in order to raise historical consciousness allows the past to be represented in a perceivably unmediated and therefore less contested way. After forty years of dictatorship and thirty-five years of the pact of silence, “disbelief”<sup>105</sup> is still a pertinent problem in Spain, and it is one of the reasons why the body-as-witness has been foregrounded in the memory movement. And indeed, some of my informants confirmed that, although they “knew” the history, “seeing it was different.”<sup>106</sup> The García family that initially opposed the Chillón exhumation was so deeply impressed by the image of the exposed grave with the piled-up corpses that they changed their opinion about the exhumation immediately.<sup>107</sup>

The perceived unmediated character of the mass graves as representations of the past helps to overcome the prohibition on political representation of the Civil War.<sup>108</sup> The exhumations are less politically contested than documentaries or victims’ testimonies in schools, which narratives are more manifestly constructed by the filmmaker or the victim. This is also reflected by the fact that when the newly elected conservative government cut back subsidies for memory projects in 2012, it first cut funding for all projects *except* exhumations.

Last but not least, forensic anthropology helps to acknowledge/validate the past institutionally. Forensic experts, according to Etxeberría, “validate,” “guarantee,” and

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<sup>103</sup> Silva and Macías, *Las fosas*, 105.

<sup>104</sup> See, for instance, “Spain should trust its democracy and work for victims’ rights’ – UN expert on transitional justice,” UN Human Rights, February 5, 2014, accessed January 10, 2015, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14220&LangID=E>.

<sup>105</sup> Laqueur, “The Dead Body,” 79.

<sup>106</sup> Visitor of the exhumation, fieldnotes, Puebla de don Rodrigo, May 2011.

<sup>107</sup> They confirmed this in an interview that same day. García sisters, group interview during exhumation, audio-recording, El Contadero, Chillón, November 5, 2011.

<sup>108</sup> Layla Renshaw argued that the materiality of the evidence gathered in the exhumations is highly significant. She points out that, for instance in the emotionally charged context of reburials, presenting material evidence not only fills a “representational vacuum” resulting from a postmemory condition or absence of direct memory, but also helps to “overcome entrenched resistance and suspicion over the authoring of representations of the past in this context, and the persistent fear that surrounds the making of such representations in public.” Renshaw, *Exhuming Loss*, 219.



“certify” with their “responsibility, name and date” the “historical reality.”<sup>109</sup> In a country where judges refrain from acknowledging historical injustice, forensic anthropologists fill this gap. Just as reliquaries are trusted to affirm the relationship between the relic and the saint because of their status and context, forensic anthropologists, because of their embeddedness in the judiciary, have the authority to acknowledge the past in an official way.<sup>110</sup>

### 3.6 Conclusion: Politics of memory beyond forensic truth

*“In the case of the necessary principles of truth, justice and reparation, in Spain it was decided to go directly from truth to reparation.”*

Francisco Etxeberría<sup>111</sup>

The Spanish case is an example of how an international transitional justice practice is actively disseminated by memory activists and encountered in local contexts. By demonstrating that the forensic paradigm of objective truth-revelation serves as a means to another end in Spain – namely, to legitimize the memory movement – I have revealed the political impact of the forensic paradigm of objective truth-revealing.

The forensic paradigm, embedded in human-rights law and scientific methodology, has helped to overcome political contestation of the Spanish memory movement. At the same time, the forensic paradigm reduces the Spanish memory movement’s ability to ‘recover historical memory’ to judicial, individual truth. The minimalistic factual accounts of forensic reports do not serve as, but can form a basis of, wider historical contextualization and political analysis.

The positivist reduction of truth to evidence, investigated by anthropologists and validated by judges, may lead to a lack of reflection, blinding us to the politics of memory behind these seemingly unmediating memory practices, which is why in this chapter I tried to identify the function of the forensic paradigm in the Spanish politics of memory. The exhumation movement uses the forensic paradigm to contest the ‘pact of silence’ without explicitly questioning the prohibition on political representation of

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<sup>109</sup> Francisco Etxeberría, public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>110</sup> Crossland, “Clues and Signs,” 74.

<sup>111</sup> Public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

the republican victims. This is, of course, an important step for the memory movement, but at the same time it holds the risk of continuing the depoliticization deployed by decades of Francoism and the subsequent transition.

An all too strict focus on the forensic truth that the exhumation movement generates may blind us to other meanings and functions of the Spanish mass grave exhumations as well. Because the recovery of bodies is equated with recovering memory, other memory practices run the risk of being dismissed. In Chillón, for instance, the family who opposed the exhumation was accused of ‘not confronting’ the past – despite the fact that this family had over the years build its own way of remembering. In the end, the monument that the family had set up in order to mark the site of the mass grave was removed to start the exhumation. Because the exhumation team followed their belief that “a mass grave does not exist until it is exhumed,” other ways of remembering were annulled.<sup>112</sup>

Beyond the evidentiary, judicial function of the exhumations lie aspects of their memory work that greatly influence the kind of history that ‘comes from the Spanish graves,’ aspects that moreover lead to a diversity of ‘histories’ rather than only revealing objective facts. If we want to understand the real impact of the exhumations on Spain’s collective memory, we need to look beyond the forensic truth they generate. The Spanish exhumations do generate a great deal of, and a diverse, memory, but to understand in what sense, and with what impact, I will investigate other aspects than its truth claims: its ways of seeking acknowledgement and reparation (Chapter 4) and its time concepts (Chapter 5).

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<sup>112</sup> José Ignacio Casado (ARMH Burgos), Public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

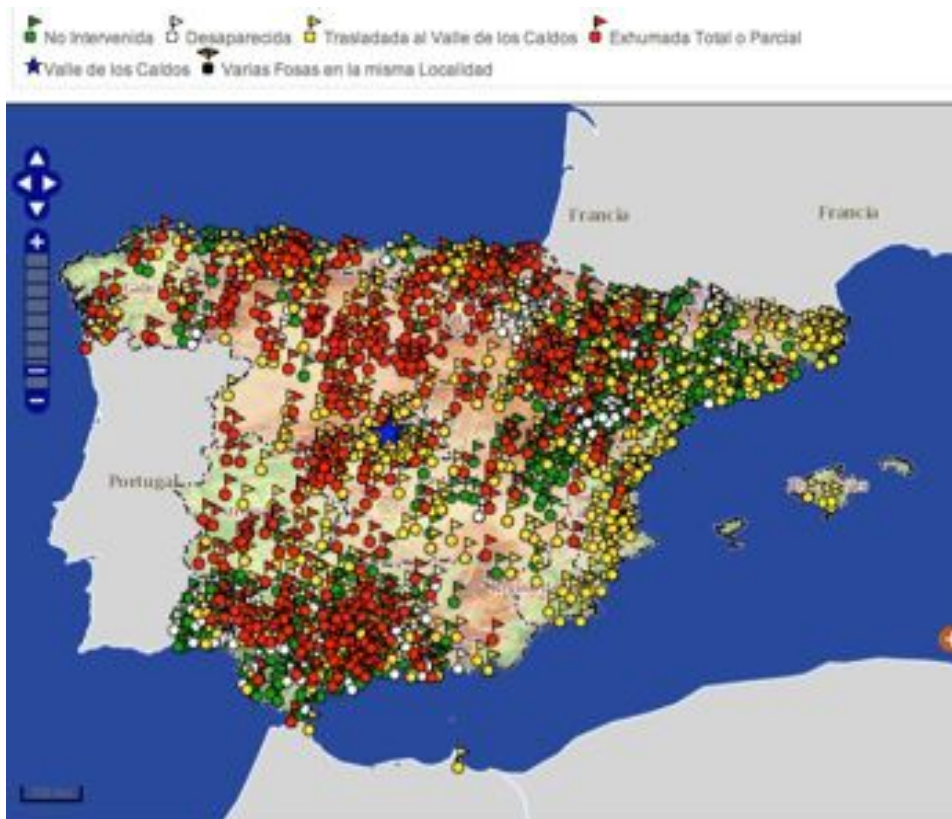


Figure 2 The 'Map of Mass graves' of the Spanish government, displaying more than 2,000 mass graves all over the country (Gobierno de España, <http://www.memoriahistorica.gob.es/MapaFosas/>).



Figure 3 Hilda Farfante (1931), daughter of two republican teachers executed by Francoist militia, crying out her famous 'grito,' during a *Ronda de la Dignidad*, Madrid, June 2, 2011.



Figure 4 First *Ronda de la Dignidad*, with dozens of activists and victims' relatives walking around Puerta del Sol with portraits of the victims, May 20, 2011.



Figure 5 First anniversary of the *Rondas de la Dignidad*, with protests against a new, revisionist, definition of Francoism by a renowned academic institution. June 2, 2011.



Figure 6 The 'life-size' photo of the exposed mass grave of La Andaya, that the ARMH and Aranzadi display during protests and exhibitions. Here on a street protest in Brussels (May 7, 2013) (Photo by Óscar Rodríguez).





Figure 7 ARMH core team members Alejandro Rodríguez and Nuria Maqueda during the four-day long search for the mass grave in Oropesa, November 5, 2010.



Figure 8 ARMH archaeologist René Pacheco attending the interest of locals of Las Ventas de San Julián in objects of the Oropesa exhumation, March 19, 2011.



Figure 9 Aranzadi volunteer and biologist Jacob making a technical drawing of the mass grave, La Mazorra, May 6, 2011.



Figure 10 Social anthropologist and filmmaker Jorge Moreno and me conducting a video-interview with Agustín during the exhumation in the Puebla de don Rodrigo cemetery, May 30, 2011.





Figure 11 The García family expressing disagreement with the exhumation during the town meeting in Chillón, October 25, 2011 (Photo by Sarah Vanagt and Katrien Vermeire).



Figure 12 Ignacio García (victim's son), with the flowers and portrait of 'the Nine of the Contadero' that relatives brought on All Saints' Day Chillón, November 1, 2011.



Figure 13 The remains of the ARMH exhumations are gathered individually in cardboard boxes. In the background you see the remnants of the monument at the mass grave site in Chillón.



Figure 14 Some objects and remains are gathered in plastic bags, after being wrapped in newspapers against humidity. Photo by Katrien Vermeire and Sarah Vanagt.





Figure 15 Amparo and Angela, nieces of on of 'the Nine' victims of Chillón, writing in the guestbook of the exhumation, October, 29, 2011.



Figure 16 Daughter and granddaughter of one of 'the Nine of el Contadero,' receiving unidentified remains of one of the victims during the reburial ceremony, Chillón, May 1, 2012.



Figure 17 A packed cemetery for the reburial ceremony, Chillón, May 1, 2012 (photo by Óscar Rodríguez).



Figure 18 Conversation between me and visitors of the exhumation in the cemetery of Puebla de don Rodrigo, May 26, 2011 (Photo by Óscar Rodríguez).





Figure 19 Visitors during the exhumation of Oropesa. On the right, Liberto, son of one of the victims, who visited the site daily. “Do you know, I still can’t sleep?” November 9, 2010.

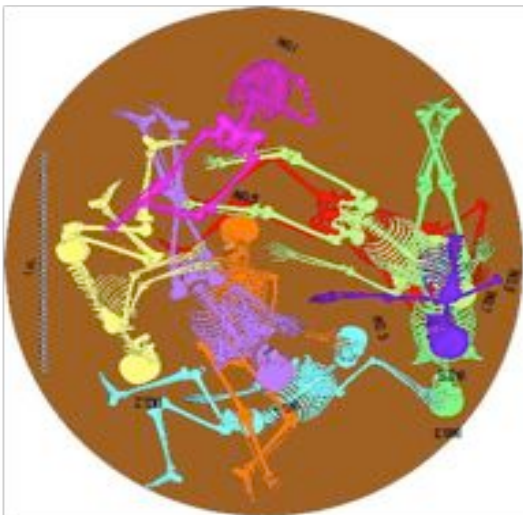


Figure 20 Technical drawing of the mass grave of Chillón, included in the archaeological report and showed during the reburial ceremony (Photo by ARMH).



Figure 21 Banner at the first anniversary of the *Rondas de la Dignidad*, reminding of iconography of the *desaparecidos* in the Southern Cone (June 2, 2011).



Figure 22 During the exhumation, the search ‘above ground’ in archives and through testimony continues. Francisco Ferrándiz with victims’ relative, Candeleda, May 18, 2010.



Figure 23 Eugenio (third to the right) and his brother in law (second to the right), talking with the ARMH psychologist Ramón (first on the right), social anthropologist Jonah Rubin (left from Eugenio), and villagers. Puebla de don Rodrigo, May 28, 2011.



Figure 24 Street in Puebla de don Rodrigo named after a Nationalist general of the Civil War, May 29, 2011.





Figure 25 Valley of the Fallen, the Francoist mausoleum to honour the ‘fallen for God and Spain,’ September 6, 2009.



Figure 26 Pedro, who had been made to transport the bodies of the five killed *maquis* to the cemetery in Puebla de don Rodrigo, May 31, 2011.



Figure 27 Daily gatherings of locals and relatives during the ARMH exhumation in Chillón, November 1, 2011.



Figure 28 Girls taking pictures of the exhumation in Puebla de don Rodrigo, May 31, 2011.





Figure 29 Valentín García, trying to rectify the version of history held by these two young *Chilloneros*. “*Algo habrán hecho*” (they must have done something), the children said, while Valentín argued that his father had done nothing wrong except defended his ideas, November 6, 2011.



Figure 30 ARMH archaeologist René Pacheco and volunteers Elena and Juan explaining the exhumation process to children of Puebla de don Rodrigo, June 1, 2011.



Figure 31 Expert practitioner re-assembling the skeleton of an individually buried victim, El Cesterín, in situ, while explaining his analysis to the relatives who came from Argentina for the exhumation (Photo by Óscar Rodríguez).



Figure 32 Forensic anthropology as a science of 'sight:' Aranzadi volunteers and the relative José trying to get an overview photo of the mass grave, La Mazorra, May 6, 2011.





Figure 33 Re-enactment of the killings, performed by the exhumation volunteers after excavating the mass grave (Photo of ARMH and Aranzadi, of the exhibition 'Exhuming Mass Graves, Recovering Dignity').

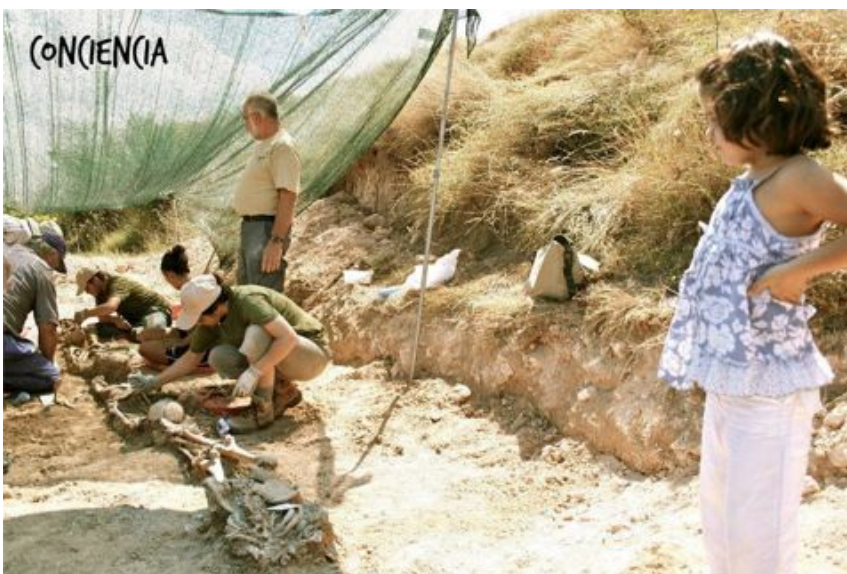


Figure 34 Picture of a child taking a look at an exhumation that circulated on social media with the word 'conscience' on it; it reflects the believe that seeing a mass grave enhances a historical consciousness (Photographer unknown).



Figure 35 Descendant of one of 'the Nine' in Chillón, wearing the ring of his great uncle during the exhumation, El Contadero, November 30, 2011.



Figure 36 Felipa and Nuria Martín, and Laura, victims' relatives, proudly carrying a box with the remains of one of 'the Nine of the Contadero' in the procession to the cemetery for reburial, May 1, 2012.





Figure 37 When the exhumation was finished, some relatives in Chillón decided to bury photos of 'the Nine of the Contadero' and the flowers they had brought on All Saints' Day, November 2011 (Photo by Katrien Vermeire and Sarah Vanagt).



Figure 38 The inauguration of the monument to 'the Nine of the Contadero,' 1988 (Photo from Jerónimo Mansilla Escudero and Luis Miguel Montes Oviedo, *El crimen de El Contadero: Los nueve asesinados de Chillón (3 de junio de 1939)* (Chillón: Jerónimo Mansilla Escudero, 2009).



Figure 39 ARMH volunteers Fernan, Juan, and Guillaume dismantling the monument for ‘the Nine’ in Chillón, in order to continue the exhumation, October 26, 2011.



Figure 40 Many relatives bring photos of their missing to the exhumation team during an exhumation, which adds both new information, and a ‘human face’ to the skeletons. Puebla de don Rodrigo, May 7, 2011.





Figure 41 This photo on the wall of the ARMH laboratory illustrates how the volunteers do their work *de corazón* (with their hearts) (Photo by Alejandro Rodríguez).



Figure 42 Valentín García and his wife, bringing flowers to the mass grave site at All Saints' day; The García's became closely involved in the exhumation, November 1, 2011.



Figure 43 Ignacio García, who climbed down in the grave at El Contadero assisted by his grandson to watch the bones up close: "you need to be worthy, to do this kind of work; thank you very very much." November 6, 2011.



Figure 44 ARMH Volunteers Elena and Juan Pedro in Puebla de don Rodrigo, wearing T-shirts in the Republican tricolor and with the inscription “we are the grandchildren, we are peace,” May 31, 2011.



Figure 45 Laura (victim’s relative), touching the bones when listening to the explanations of ARMH archaeologist René Pacheco, Chillón, November 1, 2011.



## Chapter 4 Acknowledgement: Mobile seminars in public history

*“Y grito (and I cry out) against the silence, against that terrible silence, of 40 years silenced and 35 shamefully forgotten.” ‘El grito de Hilda,’<sup>1</sup>*

### 4.1 Introduction

*This chapter is dedicated to José Capilla (°1934), who passed away while this chapter was written. He was the youngest son of Alfonso Capilla who was killed in Chillón in 1939 by Francoist militia. I could never fully read his thoughts that stayed hidden behind a troubled face. “I talk this much in order not to think,” he once said after elaborately picking at the driving skills of his driver on the ride home. (See fig. 12)*

#### 4.1.1 The “procedural articulation of the known”

In May 2011, the exhumation in Puebla de don Rodrigo, carried out by the national ARMH, failed to find the remains initially sought. The exhumation was requested by Eugenio, the nephew of ‘el Manco de Agudo,’ a famous *maquis* who had been active in Ciudad Real until he was killed by the Guardia Civil in 1949.<sup>2</sup> Eugenio’s mother, sister to

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<sup>1</sup> Hilda Farfante, public speech, audio-recording, Puerta del Sol, Madrid, June 2, 2011.

<sup>2</sup> Many people in that region are only known by their *apodo* or nickname. *Manco* means one-armed. The history of ‘El Manco’ is studied in Benito Díaz Díaz and Juan Pedro Esteban Palmero, *Vida y muerte de tres guerrilleros*



el Manco, had moved to Valencia, and Eugenio was for a long time unaware of his family's history. He found out about it through the Internet, after googling the name that his mother had shouted on her deathbed that he did not recognize: "Antonio!" Through his online research and with the help of some academic and local historians, Eugenio found out that Antonio was his mother's youngest brother, just as her older brother el Manco and their father killed in *el monte*.<sup>3</sup> In 2010, the ARMH had already exhumed the remains of el Manco, identified pretty easily because, as his nickname indicates, he was one-armed. In Puebla de don Rodrigo in 2011, Eugenio hoped to find his grandfather, the father of el Manco. In the 'limbo' or non-consecrated area of the cemetery, the ARMH did not find Eugenio's grandfather but managed to locate, although not identify, the bodies of five other *maquis* killed in 1941. The old man Pedro (fig. 25) pointed the ARMH to the grave, whose location he knew because in 1941 he had been made to transport the bodies to the cemetery, where they were exposed to the public and buried. The five were reburied in August 2013, while investigations continue to identify them.<sup>4</sup>

After a few days of excavating, it was clear that the ARMH would not find Eugenio's grandfather. Eugenio nevertheless stated that it had been a very "enriching experience," in which he had "grown as a person."<sup>5</sup> Like for many relatives, the uncertainty, followed by disappointment, were hard to digest psychologically for him, but as some of the ARMH team said, finding the bodies is only one of their goals; their other aims are sometimes met without the bodies. Throughout the exhumation, Eugenio learned to know the region where his family had lived and suffered the Francoist repression, the village where his grandfather was killed and buried, the ARMH volunteers, and other families who had suffered during the post-war years (see fig. 23). The villagers, in their turn, the local and national volunteers, journalists, and researchers were introduced to the history of the descendants of 'their' Manco de Agudo. The exhumation, the presentation of the documentary 'La Cuchara' by anthropologist Jorge Moreno and me, and the reburial mobilized and united many villagers. In sum, although the exhumation in Puebla de don Rodrigo failed to provide

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*antifranquistas en los Montes de Toledo: "El Comandante", "El Manco de Agudo" y "Parrala" (1939-1949)* (Madrid: Foro Ediciones, 2011).

<sup>3</sup> Eugenio, interview conducted Jonah Rubin and me, video-recording by Jonah Rubin, Puebla de don Rodrigo, May 28, 2011.

<sup>4</sup> Juan Pedro Esteban, e-mail to author, September 24, 2013. Also see EFE, "Un pueblo de Ciudad Real custodiara los restos de 5 maquis hasta que sean reclamados," *El Diario*, August, 7, 2013, accessed December 16, [http://www.eldiario.es/politica/pueblo-Ciudad-Real-custodiara-reclamados\\_0\\_162033986.html](http://www.eldiario.es/politica/pueblo-Ciudad-Real-custodiara-reclamados_0_162033986.html).

<sup>5</sup> Eugenio, interview by EFE, audio-recording, Puebla de don Rodrigo, May 28, 2011. In a follow-up interview with a colleague anthropologist, however, Eugenio appeared to feel somehow misled and used in order to find the bodies of the five *maquis* of which the activists were more sure that they would find them. He felt no need to go to the reburial of the five *maquis* in August 2013. E-mail to author, August 12, 2013.

new evidence, to find Eugenio's grandfather, and to identify the bodies found, it still had an undeniable impact on both Eugenio and the village where the exhumation took place.

The previous chapter discussed the role of forensic evidence in dealing with a painful past. I showed how in Spain, the exhumations are framed in what I called 'the forensic turn in memory.' In this conceptual framework, the main function of exhumations is to produce objective truth that can break Spain's 'pact of forgetting.' I explained, however, how the truth gathered in exhumations around the globe serves several aims – criminal, humanitarian, and historical. Depending on the particular circumstances, these univocal, objective forensic facts can have very diverse roles and uses. In the case of the Spanish, "civil society-led exhumations,"<sup>6</sup> where the search for the truth does not serve criminal investigations, the exhumation teams primarily do humanitarian work outside a judicial context. They work towards returning the remains to the families. As I have shown, the remains are often collectively reburied, because the lack of resources and the time that has passed since the killings often prevents identification. In terms of the historical aim of forensic exhumations, the forensic truth found in the Spanish graves contributes merely to a 'new history' of Spain with a precisely defined number of individual stories about causes of death.

Indeed, as I already explained in 3.4, in many of the exhumations in this study, the forensic evidence did not reveal much new knowledge for the local communities. In all the cases I observed, villagers knew where the mass grave was. They were familiar with the identity of some of the victims and often had a very vivid (albeit dying out) memory of the Civil War and the post-war Francoist repression. In two out of six exhumations, none of the sought bodies were found, and in two other cases, the remains were impossible to identify individually. Many Spanish exhumations provide new evidence on the location, identity, and causes of death of victims of the Civil War on an individual level, but they do not provide much specific information that was not already known by the villagers on a local level or written on a more general level by historians. Notwithstanding, many participants and observers of the memory movement agree that fourteen years of exhumations have had a huge impact on how Spain deals with its past. This chapter tries to solve the question how to understand this impact, considering the fact that the revelation of forensic truth from the graves does not shed that much new light on the history already known of the Civil War and Francoism. Can we reveal other ways in which the exhumations do change the way Spain deals with its past?

Transitional justice institutions, pioneered by the South African Truth and Reconciliation Commission (TRC), launched the idea that the remembrance of the truth

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<sup>6</sup> Term from Jonah Rubin, "Transitional Justice against the State: Lessons from Spanish Civil Society-Led Forensic Exhumations," *The International Journal of Transitional Justice* 8 (2014).

is a form of justice. Much transitional justice literature is premised on the idea that judicial truth or other legal reforms will reform society. The idea of a collective “right to the truth” has increasingly emerged as part of a larger field of politics of reparation. However, as Berber Bevernage recalls, the fact-revealing capacity of the South African truth commission was rather disappointing.<sup>7</sup> This left the Nigerian Nobel prize-winner Wole Soyinka wondering:

Will society be truly purified as a result of this open articulation of what is known? For even while we speak of ‘revelation,’ it is only revelation in concrete particulars, the ascription of faces to deeds, admission by individual personae of roles within known criminalities, affirmation by the already identified of what they had formerly denied. Nothing, in reality, is new. The difference is that knowledge is being shared, collectively, and entered formally into the archives of that nation. So, back to the question, this procedural articulation of the known, will it truly heal society?<sup>8</sup>

Although this quote is about a context different from Spain and, in my view, disregards the despair, tensions, and uncertainties that accompany the relatives during the first days of an exhumation, Soyinka points to some very important limits of transitional justice practices such as truth commissions and exhumations. In this chapter I will demonstrate that precisely this “procedural articulation of the known” is of major importance in current Spanish memory politics on both the national and local levels. Therefore it is important to differentiate, as Thomas Nagel suggests, between ‘knowledge’ and ‘acknowledgement.’<sup>9</sup> Indeed, the TRC introduced the concepts of “truth as acknowledgement” and “justice as recognition.”<sup>10</sup> In many post-conflict societies, people know more or less what happened. In Eastern Europe for instance, Stanley Cohen stated that “there was little need for ‘new’ historical revelations” and that “most people [knew] what had happened in the past and retained this information intact in private memory.”<sup>11</sup> Memory movements aspire to convert this informal knowledge into acknowledgement and official truth, which in many cases requires dealing with the dead.<sup>12</sup>

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<sup>7</sup> Berber Bevernage, *History, Memory, and State-Sponsored Violence: Time and Justice* (New York: Routledge, 2011), 54.

<sup>8</sup> Wole Soyinka, *The Burden of Memory, the Muse of Forgiveness* (Oxford, New York: Oxford University Press, 1999), 33.

<sup>9</sup> Thomas Nagel, “Concealment and Exposure,” *Philosophy and Public Affairs* 27 (1998): 3–30.

<sup>10</sup> Bevernage, *Time and Justice*, 10.

<sup>11</sup> Stanley Cohen, *States of Denial: Knowing About Atrocities and Suffering* (Cambridge: Polity Press, 2001), 225; Cited in Kieran McEvoy and Heather Conway, “The Dead, the Law, and the Politics of the Past,” *Journal of Law and Society*, 31 (2004): 541.

<sup>12</sup> See McEvoy and Conway, “The Dead,” 541–42.

Acknowledgement is indeed one of the many measures that form a broad field of reparation politics, a field that John Torpey conceives as a series of concentric circles. Transitional justice practices such as trials and truth commissions form the core circle, further expanding through reparations, official apologies, and finally what Torpey calls “communicative history,” such as commemorations, memorials, rewriting the historical narrative, etc.<sup>13</sup> So, can we study the Spanish exhumations as a similar mechanism of acknowledgement?

Communicative history or public history is increasingly recognized as a contentious part of reparation politics worldwide. Memory movement can only have an impact if they have some resonance in society. An understanding of the impact of the Spanish exhumations therefore depends, in my view, on how they bring the past of the *vencidos* to the public realm. How do exhumations “articulate the known,” and with which “procedures” and dissemination strategies? How do the exhumations strive to have a major impact? What kind of public do they construe, and how do the exhumation associations aim for acknowledgement, on the local, national, and international levels? How successful are they and why? What is the outcome of their efforts on these three levels? To answer these questions, I focus on ‘history in action’ or on how ‘history works’ in society. I focus on how the knowledge is made public, rather than asking epistemological questions about the ‘essentials’ of this particular kind of historical knowledge. I contend that the answers to these questions about the impact of the Spanish exhumations lie, rather than in the knowledge that the exhumations produce, in what happens with the ‘knowledge’ once the exhumations have excavated it; how this knowledge is communicated, made known, translated, articulated, mobilized, and disseminated by different actors in the memory movement.

#### 4.1.2 History beyond the grave

To understand the question about how the knowledge from the exhumations is made public, our gaze needs to zoom out from the bodies in the grave to the space around the grave. As mentioned in the methodological chapter, over the course of my fieldwork I increasingly zoomed out to ever larger concentric circles around the grave, where things equally important as the forensic results happened. The unregulated character of the Spanish exhumations implies that the forensic work operates within a broader political arena of rights and interests, both individual and collective, that open new

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<sup>13</sup> John Torpey, “Introduction: Politics and the Past,” in *Politics and the Past: On Repairing Historical Injustices*, ed. John Torpey (Lanham: Rowman & Littlefield Publishers, 2003), 6.

processes in arts, science, media, and politics, called the “afterlives” of the bodies by Francisco Ferrándiz.<sup>14</sup>

Already during the exhumation, there is much more going on than only what the archaeologists do in the grave. Outside the immediate space of the exhumation there are other memory practices going on, complementing the investigative forensic process. Evidently there is cross-pollination between *lo de arriba and lo de abajo*, the space outside and inside the grave. The forensic gaze – medical, judicial, objective, detailed, and distanced, for instance – tempers overtly political or emotional engagements with the past around the grave. I often observed how conversations with the archaeologist on the technical aspect of the excavation or with other locals on the type of soil and use of the land calmed the nerves of relatives on their first visits. The memory practices around the grave can also be very different from what is happening inside the pit. Working in the mass grave, focusing with one’s hands on a little piece of bone, is by some considered much easier than being confronted with the emotions surfacing around the grave. The volunteers are confronted with both memory practices: the investigative work in the graves, and the contact with relatives.<sup>15</sup> Some volunteers of the Aranzadi team say they do not always have an overview of what happens around the site while exhuming and that the emotions of relatives sometimes make them uncomfortable. One of them prefers to stay in the pit because the practices around the grave, like testimonies or re-enactments, can get very emotional.<sup>16</sup>

The activities surrounding the forensic exhumation define their impact, so if we want to know which memory is constructed in the memory movement, we have to zoom out from the bodies in the grave. One cannot deny, of course, that the bodies in the grave form the material basis that puts the whole process in motion, and that can be of great humanitarian and judicial importance. But all memory associations and forensic practitioners seem to agree that the forensic truth makes up only a part of all the memory work needed, and that the exhumations are the scenes of many different causes.

This was illustrated in 2013 when an exhumation was planned to be carried out by a private company. The memory associations opposed this, since “exhuming is not simply excavating the mass grave,” as forensic anthropologist Etxeberria of Aranzadi

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<sup>14</sup> Conversation with Jacob, Aranzadi volunteer, fieldnotes, Manchester, September 8, 2014; Francisco Ferrándiz, “Exhuming the Defeated: Civil War Mass Graves in 21<sup>st</sup>-century Spain,” *American Ethnologist* 40 (1) (2013): 40.

<sup>15</sup> Alejandro Rodríguez (ARMH volunteer and historian), Interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>16</sup> Conversation with three Aranzadi volunteers on the way to the La Mazorra exhumation, fieldnotes, May 4, 2011.

underlines.<sup>17</sup> According to him, the exhumation, although it is a very mediagenic aspect of the memory movement, is only a small part of the memory work of a memory movement, and the laboratory work is not the essence compared to the symbolic part. Etxeberria conceives the work of ‘recovering historical memory’ as a series of concentric circles, of which the forensic anthropologists occupy the central, but smallest, circle, within circles of historians, psychologists, artists, and ending in the circle of society.<sup>18</sup> He claims as one of the “biggest successes of the memory movement” the “nexus between the technical level, and the social and political dimension.”<sup>19</sup>

According to Emilio Silva, the most important things happen precisely around the grave. When the documentary ‘The Wave,’ which is made up almost entirely of images from the mass grave as it is exposed gradually, without the archaeologists and volunteers in sight, was released, Silva, the president of the ARMH, complained that the film left very important elements out of sight, more specifically, the people working in and around the grave.<sup>20</sup> ARMH team members as well state that they ‘open much more than a grave,’ and when I was asked to send photos to the press, the team always preferred photos not only of the grave but also of the people around it. For this organization, the exhumations are only one part of a process of collecting audio-visual archives, ceremonies to return the remains and give public recognition, pedagogic activities, international projects of divulgation, and public acts on the International Day of the Disappeared.<sup>21</sup>

In the case of the exhumation by a private company, the concern of the memory movement was that the “moral recovery would not take place.” In other words, the “moral recovery” of the past depends not on the mere fact of exhuming but on the how-question. The ARMH, for instance, was afraid that the regional government preferred “a blank exhumation, without noise.”<sup>22</sup> Apparently this noise is crucial to understanding the impact of the exhumations on collective memory.

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<sup>17</sup> Francisco Etxeberria, cited in Elena Cabrera, “Privatización de la memoria histórica,” *El Diario*, September 12, 2013, accessed December 16, 2014, [http://www.eldiario.es/sociedad/Privatizacion-memoria-historica\\_0\\_173933464.html](http://www.eldiario.es/sociedad/Privatizacion-memoria-historica_0_173933464.html).

<sup>18</sup> Francisco Etxeberria, public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010; public lecture, audio-recordings, 10 years ARMH, Ponferrada, October 24, 2010.

<sup>19</sup> Francisco Etxeberria, cited in “Boletín de las actividades cotidianas de Cursos de Verano UPV/EHU Uda Ikastaroak,” *ehusfera*, accessed December 1, 2014, <http://www.ehu.es/ehusfera/uik-cverano/2014/07/17/francisco-etxeberria-la-memoria-historica-no-habla-de-acontecimientos-historicos-del-pasado-sino-que-se-ocupa-de-asuntos-del-presente/>.

<sup>20</sup> Conversation with Emilio Silva, after the premiere of ‘The Wave,’ fieldnotes, Ghent, October 12, 2012. He also stressed that carrying out the exhumations is only a small part of the total work the ARMH does.

<sup>21</sup> ARMH, “14 años recuperando la memoria de la tierra: Informe 2000–2014,” Ponferrada, October 28, 2014, accessed October 30, 2014, <http://www.slideshare.net/ARMHMemoria/armh-14-aos-recuperando-memoria>.

<sup>22</sup> Marco González (ARMH vice-president), cited in Cabrera, “Privatización.”

The procedures and rituals happening around the bodies in the graves reveal cultural and political roles of forensic anthropology in practice. And indeed, although some forensics say that exhuming the missing in Bosnia, Somalia, or Guatemala is the same, and iconography and terminology about *desaparecidos* are remarkably similar around the world, actions and discourses around the mass graves add diversity to the forensic proceedings that can answer our question of how the exhumations affect Spain's collective memory. This will lead us to a better understanding of the memory movement's engagement with the past beyond the forensic paradigm of truth revelation versus forgetfulness and a transitional justice process beyond judicial truth and legal reform.

While the practice of exhumations invites many recent studies to focus on the 'agency' and substance of human remains and their material presence, I go back to the constructivist paradigm of memory studies, by which social and cultural anthropologists and historians study the significance that different people give to bones by interacting with them.<sup>23</sup> I thus argue that in the Spanish exhumation movement, the material does not determine the outcome. Not only bones 'matter' in making, transforming, or destroying a site of memory but also the network of memory activists. A shift in focus from the purely bodily, material, biological gaze of the forensic paradigm to the memory discourses and practices surrounding an exhumation reveals constitutive elements of collective memory other than truth.<sup>24</sup> While the material character of the bones and earth of mass graves are perceived as steering the current memory politics in Spain, in this chapter I focus on acts, words, and gestures that occur in what Layla Renshaw calls the "discursive space"<sup>25</sup> around the graves and what Pierre Nora coins the "network of memory" or *milieu de mémoire*.<sup>26</sup> Furthermore, with this broader focus we learn that a lot of different histories can come from the same graves, objects, and bodies. Bones might 'not lie,' but they are not 'natural,' or the only, carriers of memory; and therefore they say very different things depending on the cultural,

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<sup>23</sup> See the statement of interests of the 'Bones Collective,' an international and interdisciplinary research network of investigators with a shared interest in human bones. The University of Edinburgh, "Statement of Interests," accessed November 22, 2014, [http://www.san.ed.ac.uk/research/grants\\_and\\_projects/current\\_projects/bones\\_collective/statement\\_of\\_interests](http://www.san.ed.ac.uk/research/grants_and_projects/current_projects/bones_collective/statement_of_interests).

<sup>24</sup> For a critical study of the effects of limiting identity to genetic identity in the context of forensic exhumations of disappeared in the Southern Cone, see Pamela Colombo and A. Fernández, "Exhumaciones de detenidos-desaparecidos – Los diferentes sentidos que emergen en la restitución de identidad a partir de lo biológico y de los procesos de rememoración" (paper presented at the XXVII Congreso ALAS, Buenos Aires, 2009).

<sup>25</sup> Layla Renshaw, "The Scientific and Affective Identification of Republican Civilian Victims from the Spanish Civil War," *Journal of Material Culture* 15 (2010): 3.

<sup>26</sup> Pierre Nora, "Between Memory and History: Les Lieux de Mémoire," *Representations* 26 (1989): 7.

historical, and political context. Following anthropologists of violence who argue that violent acts mean different things according to context, this chapter explores another meaning of mass graves than forgetting, and other purposes of the exposed remains today than truth revealing.

### 4.1.3 From knowledge to acknowledgement

If the previous chapter discussed the fact-revealing capacity of the exhumations, this chapter focuses on another building block of collective memory, which will enhance our understanding of why the memory movement uses forensic exhumations, namely, the politics of exposure and concealment or, in other words, the struggle over the boundaries of private and public memory. If we can identify how the exhumation movement changes those boundaries and in what direction, we can shed some more light on their political role.

The first section of the chapter tries to re-examine the memory politics in Spain prior to the exhumations, which have often been depicted as a “pact of forgetting,”<sup>27</sup> which naturally limits the exhumations to their truth-revealing capacity. I explain how Republican memory was, rather than forgotten, confined to a very limited private sphere by Franco’s victory in 1939, something that became secured with the ‘Amnesty Law’ in 1977 during the transition to democracy. Indeed, the mass graves of the Spanish Civil war were not necessarily meant to “conceal a crime,” as the forensic paradigm, based on the disappearances of bodies during the Holocaust and the military *juntas* in the Southern Cone, suggests. On the contrary, the killings that resulted in the graves were often intentionally exposed and symbolic, and the mass graves in the local communities were often public secrets. Following Johannes Fabian’s device that “death is a prime datum of communication,” I try to find out what message the mass graves sent out to the surviving communities. I therefore contend that Spain’s memory politics before the exhumations cannot be understood as a ‘pact of forgetting’ but should be understood as a prohibition on public representation of the Republican dead, on the national level in official memory practices but also on the local level in, for instance, practices of mourning.

Consequently, I will contend that the importance of the exhumations cannot merely be explained by their discovery of new knowledge. Their impact is also determined by the acknowledgement of public secrets, or ‘the procedural articulation of the known.’ Therefore, I first look at *how* the exhumations contribute to breaking this prohibition on

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<sup>27</sup> See, e.g., Madeleine Davis, “Is Spain Recovering its Memory? Breaking the Pacto del Olvido,” *Human Rights Quarterly* 27 (2005).



public discussion of the extrajudicial killings in the Francoist zones. The fact that forensic exhumations spearhead the memory campaign actually offers unique opportunities to conduct public history with a wide impact. Because of its usual role in judicial trials and commissions, forensic anthropology is indeed a science used to *make* evident the facts they dig up, especially with visual data.<sup>28</sup> The word ‘forensic’ derives from the Latin *forum* or ‘in the public,’ a clear reference to the function of forensic science in court, or today’s equivalent of the forum.<sup>29</sup> The Spanish exhumations especially, due to their unofficial and mobile nature, reach a wide audience. I first demonstrate how the open character and closeness to the local communities and victim’s relatives of the Spanish exhumations, turn them into public and participatory spaces, almost like outdoor ‘seminars’ in public history. The Spanish memory movement hereby deploys the mass graves as pedagogic tools during exhumations and reburials. In addition, different from most top-down transitional justice practices, the impact of these seminars reaches beyond the country’s capital. Because of the mobility of the exhumation teams, they connect international memory cultures and practices with the most remote, rural villages.

Subsequently I take a look at how the exhumations and reburials break the confinement of Republican memory in the private sphere by reconfiguring the space of the dead. I therefore draw on work of, for instance, Katherine Verdery, who has illustrated how (re)burials, by reconfiguring space, change the status not only of the dead but also the living communities.<sup>30</sup> Finally, I use the work of Pierre Nora to explain how the exhumation movement includes a great diversity of people in a new, dynamic *milieu de mémoire*, rather than focusing on maintaining the mass graves as *lieu de mémoire*.

Through these above cited techniques, the exhumation associations shift the boundaries of public and private memory in Spain and admit the memory of the *vencidos* into “the category of what must be taken into consideration collectively,” what Thomas Nagel defines as acknowledgement.<sup>31</sup> The last question we need to ask in this chapter, in order to understand my main research question about the impact of the exhumations on Spain’s memory politics, is what kind of acknowledgement and reparation has resulted from the exhumations so far, after fourteen years of work? From whom and to whom is acknowledgement demanded and given, and for what kind of abuses? In order

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<sup>28</sup> Lee Elizabeth Douglas, “The Evidentiary Regimes of Science & Sight: Forensic Science and the Exhumation of the Past,” *Human Rights Copy Rights: Archivos visuales en la época de la desclasificación*, ed. Cristián Gómez-Moya (Santiago de Chile: Universidad de Chile, 2013), 233.

<sup>29</sup> Suzanne Bell, *Encyclopedia of Forensic Science* (New York: Facts on File, 2008), xv.

<sup>30</sup> See Katherine Verdery, *The political lives of dead bodies: Reburial and postsocialist change* (New York: Columbia University Press, 1999), 109.

<sup>31</sup> Nagel, “Concealment and Exposure,” 12.

to situate the Spanish kind of acknowledgement the exhumations give in the field of reparations politics, I use Torpey's typology of "commemorative" and "anti-systemic" reparations, respectively focused on criminal justice for specific abuses against individuals in the past, and social justice for systemic abuses leading to group-based inequalities in the present.<sup>32</sup>

I will conclude that the unregulated character of the Spanish exhumations has led on the one hand to a public and communal character that would not be possible in judicially ordered exhumation and on the other hand to a great diversity in practices. The exhumations offer a substitute, quasi-official acknowledgement in various ways on the local, national, and international levels, where state recognition is disappointing the victims. However, the kind of acknowledgement that the civil-society-led exhumations can offer is limited. The new 'Law on Historic Memory' (2007) actually confirmed Republican memory as an individual and familial matter, so it is a struggle against officialdom to get Spanish society to see reparation and commemoration for the defeated as a collective responsibility. Moreover, the exhumations themselves do not completely break through this privatization, because they depend on and make use of the widely respected values of mourning one's own relatives. With a focus on reparation for the extrajudicial killings and enforced disappearances during the Civil War and post-war repression, the practice of the exhumations provides mainly commemorative reparations aimed at repairing the suffering of Republican families, while the struggle against socio-economic injustices caused by four decades of Francoism happens in other realms.

## 4.2 The 'pact of forgetting' as a privatization of Republican memory

The impact of the exhumations, the way they work, and their chances for success are all framed by the nature of the so-called 'pact of forgetting' that was instilled during the transition to democracy (1975–1978).<sup>33</sup> In other words, to understand the impact of the exhumations, we first need to understand the meaning of the unexcavated mass graves

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<sup>32</sup> Torpey, "Introduction," 10–12.

<sup>33</sup> This 'pact' refers to the political consensus underpinning the Amnesty Law of 1977. See Michael Humphrey, "Law, Memory and Amnesty in Spain," *Macquarie Law Journal* 13 (2014): 32; Madeleine Davis, "Is Spain Recovering its Memory? Breaking the Pacto del Olvido," *Human Rights Quarterly*, 27 (2005).

and reconsider Spain's so-called 'pact of forgetting.' What kind of situation does the exhumation movement try to repair or set straight?

The history of the Spanish mass graves shows that they are not always to be understood as efforts to hide a crime, as the forensic paradigm of judicial truth vs. forgetting would suggest, but instead express the prohibition on *public* memory of the Republican dead in different ways. What happened to the Republican dead was often known, but unacknowledged. Rather than being forgotten, the memory of the *represaliados* of Francoism has been criminalized and confined to the private sphere. This means that the mass graves as well have been interpreted as a private problem, and so the exhumation movement struggles not only to reveal the truth but also to shift the boundaries of public and private memory. As I will demonstrate, this is an enormous challenge. Different from other categories of victims in Spain, such as the victims of the terrorist bombings of commuter trains in Madrid on March 11 ('11-M'), 2004, persons affected by the violence of Francoism are not recognized as victims. At one of the *Rondas contra la Impunidad* I attended, I heard a youngster saying to his friends, "ssht, this is for the victims of terrorism." The ARMH therefore stresses that the victims of Francoism are different from the 11-M victims, not because the violence is further away in time but because the former did not receive honour, homage, pensions, or in general any recognition from the state.<sup>34</sup>

Although in popular opinion the private/public distinction is often used to describe the difference between hidden and revealed, the contrast is also drawn to distinguish between what concerns the individual or family on the one hand and a collective on the other.<sup>35</sup> As Thomas Nagel has pointed out, something can be known but non-acknowledged. Acknowledgement and non-acknowledgement, also coined exposure and concealment by Nagel, have the social function of deciding what must be taken into consideration and responded to collectively.<sup>36</sup> In this section I analyse how the dead in the Spanish *cunetas* have been subjected to changing politics of acknowledgement and non-acknowledgement from the Civil War until the start of the exhumation movement.

I use the word 'politics' of exposure and concealment, because what is acknowledged or not is not a neutral category. On the contrary, it is culturally diverse and subject to both historical change and political struggle. On the one hand, the private sphere arose as a protection against despotism in early modern political theory in the seventeenth and eighteenth centuries. Indeed, some political struggles in history strove to protect

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<sup>34</sup> Carlos Agüero, meeting in ARMH Madrid office, fieldnotes, October 27, 2010.

<sup>35</sup> Jeff Weintraub, "The Theory and Politics of the Public/Private Distinction," in *Public and Private in Thought and Practice: Perspectives on a Grand Dichotomy*, ed. Jeff Weintraub and Krishan Kumar (Chicago and London: University of Chicago Press, 1997), 5; Kenneth Minogue, *Politics: A Very Short Introduction* (Oxford: Oxford University Press, 1995), 5–6.

<sup>36</sup> Thomas Nagel, "Concealment and Exposure," 12.

the privacy of people, for instance in the context of twentieth-century totalitarian regimes that left nothing outside of the scope of governmental control, and in modern democracies, certain groups strove to protect the private status of sexual orientation and religion. On the other hand, emancipatory movements such as feminism, with its slogan that ‘the personal is political,’ have always tried to extend the public sphere and put issues such as rape within marriage on the public agenda.<sup>37</sup> Here we situate the movement of the Spanish exhumations in a long struggle over the public or private character of the Civil War violence and dead.

#### 4.2.1 1936: Exposed death

While in popular imagination mass graves are being ‘discovered’ after years of forgetting, the Spanish mass graves have a long history of interaction with villagers, killers, gravediggers, relatives, state policies, etc. Katherine Verdery’s starting point is the observation that “dead bodies have enjoyed political life the world over and since far back in time.”<sup>38</sup> Indeed, in the Spanish case as well, the political life of the bodies in the mass grave has a history that started far before the first exhumation: actually, from the moment of the killings. To study this history, I followed Elisabeth Anstett and Jean-Marc Dreyfus who, in their “Corpses of Mass Violence” program, focus on the “agents” that handle the bodies, the “procedures,” and the ideological “logics” behind the treatment of the bodies. They distinguish three categories in the treatment of corpses: “disposal,” “concealment,” and “destruction.”<sup>39</sup>

The most dominant interpretation of the meaning of mass graves today, in Spain and elsewhere, is that they are proof of the concealment of crimes by the Francoist regime.<sup>40</sup> In this framework of interpretation that I have termed ‘the forensic turn in memory,’ the killers or their proxies conceal or destroy the corpses, “as they are tangible evidence of past violence and potential proof in the event of an investigation.”<sup>41</sup> Yet McEvoy and Conway point out that including “the legal obliteration of a dead body can itself represent a commemorative expression.”<sup>42</sup> Interpreting the Spanish mass graves in the

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<sup>37</sup> Minogue, *Politics*, 5–6;

<sup>38</sup> Verdery, *Political lives*, 1.

<sup>39</sup> Élisabeth Anstett and Jean-Marc Dreyfus, “Introduction,” in *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence*, ed. Élisabeth Anstett and Jean-Marc Dreyfus (Manchester: Manchester University Press, 2014), 4–5.

<sup>40</sup> See for instance in: “A hillside, where the leafs or orographic corners sheltered and hid the commission of the crime,” in Emilio Silva, “La tierra ya no duerme,” in *La memoria de la tierra: exhumaciones de asesinados por la represión franquista*, ed. Clemente Bernad and Eloy Alonso (Madrid: Tébar, 2008), 13.

<sup>41</sup> Anstett and Dreyfus, “Introduction,” 7.

<sup>42</sup> McEvoy and Conway, “The Dead, the Law,” 552.

limited frame of forgetting projects our current interpretation on their history that actually began with their creation more than seven decades ago. Studying the history of the graves gives us an opportunity to understand mass graves beyond this framework.

In Spain, some mass graves might now be completely unknown, but at the moment of the killings itself, the violence was often not secret or hidden. The concealment of the crimes often came later and evolved in the course of the seven decades until now. Several authors have indeed characterized the violence in the Spanish Civil War as intentionally public and exemplary. Most of the *paseos* ('rides') happened at night: the victims were taken out of their houses to the outskirts of the village to be executed, but their bodies were often left on the roadsides.<sup>43</sup> Especially in the first months of the war, coined "*terror caliente*" (hot terror),<sup>44</sup> the bodies, often disfigured and mutilated, were displayed, abandoned and exposed, at the killing site, often a roadside or *cuneta*, as a horrifying example for the rest of the population.<sup>45</sup> Human remains were exposed in public spaces, a practice that Franco's colonial army took with it from Morocco, where they had massacred Moroccans and displayed their bodies, especially their heads.<sup>46</sup> Republican activists also used exposure of dead bodies as an exemplary technique, digging up corpses of nuns, monks, and priests and letting the crowds jeer at the obscene spectacle.<sup>47</sup> This was part of a broader attack on the Catholic Church. In Chillón, the statue of Christ got shot in the breast (which left a bullet hole that is still visible), a practice that concurred with the desecration of religious buildings, statues, and paraphernalia in other parts of Spain.<sup>48</sup> Mass executions were followed by the exposure of the human remains in the streets or the mass burning of bodies,<sup>49</sup> ritualized acts that were reminiscent of *auto da fé*, a practice of the Inquisition. Each side castrated the bodies of the other, and officers in the rebel camp exposed the sexual organs of the *rojos*.<sup>50</sup> Historian Helen Graham points to the "uncanny mixture of terror with *fiesta*," as

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<sup>43</sup> González-Ruibal, "Absent Bodies: The Fate of the Vanquished in the Spanish Civil War," in *Bodies in Conflict: Corporeality, Materiality, and Transformation*, ed. Paul Cornish and Nicholas J. Saunders (Abingdon: Routledge, 2013), s.p.

<sup>44</sup> E.g. in Francisco Ferrándiz, "Fosas comunes, paisajes del terror," *Revista de Dialectología y Tradiciones Populares* 64 (2009): 70, 77.

<sup>45</sup> González-Ruibal, "Absent Bodies," s.p.

<sup>46</sup> Luc Capdevila and Danièle Voldman, *War Dead: Western Societies and the Casualties of War* (Paris: Éditions Payot et Rivages, 2006), 102; Layla Renshaw, *Exhuming Loss: Memory, Materiality and Mass Graves of the Spanish Civil War* (Walnut Creek: Left Coast Press, 2011), 138.

<sup>47</sup> See Renshaw, *Exhuming Loss*, 139; And Bruce Lincoln, "Revolutionary Exhumations in Spain, July 1936," *Comparative Studies in Society and History* 27 (1985); Capdevila and Voldman, *War Dead*, 102.

<sup>48</sup> See Richard Maddox, "Revolutionary Anticlericalism and Hegemonic Process in an Andalusian Town, August 1936," *American Ethnologist* 22 (1) (1995), 125–143.

<sup>49</sup> Helen Graham, "The Spanish Civil War, 1936–2003: The Return of Republican Memory," *Science & Society*, 68 (2004), 318.

<sup>50</sup> Capdevila and Voldman, *War Dead*, 84.

killings sometimes took place on Catholic feast days and as the killers used alcohol and often celebrated in the village afterwards,<sup>51</sup> as was the case in Chillón.

Most of the killings were carried out or assisted by militias such as the Falange, often civilians from the same area or village of the victims.<sup>52</sup> Although this was known at the time, in many interviews today, as was the case in Chillón, informants say that the killers were militaries coming from outside of the village, a version of history that was often passed down in order to avoid upsetting the local Francoists, to protect the new generations, and to smooth cohabitation in the close-knit communities.<sup>53</sup> After the killing and exposure of bodies, the corpses were usually disposed of in communal graves. Yet the killers often did not handle the dead bodies themselves. In some cases, as in Puebla and La Mazorra, locals were ordered to dig the grave and bury the bodies. In Chillón, where the killers had abandoned the bodies, the bodies lay exposed for a week, in a hot summer. When a herdsman discovered the bodies, relatives came to see them, buried them hastily, and marked the site with a stone, but they were driven away by the Guardia Civil. In Candeleda, the three women killed in 1936, were buried by a peasant who discovered them, dug a grave and marked the spot with a stone.<sup>54</sup> In Villalibre, a mother went to cover her dead son with a blanket after he was killed along the roadside.<sup>55</sup>

The way the remains are buried reveal the politics of burial the Francoist troops deployed, and the long term effect it still has on the locals. Many informants recalled how the bodies were left uncovered, (*'abandonado'*) as in Chillón; buried disorderly 'like dogs' (*'como perros'*), or in one case, according to the rumours, with one hand sticking out. In Puebla de don Rodrigo, Eugenio stressed how "nobody deserves to lay in a *cuneta* (ditch)."<sup>56</sup> Sometimes they were buried outside of the village, removed from their town and family, in a grave with non-relatives. In Chillón, when the grave was finally disclosed and it became clear that the bodies were heaped together in a disorderly manner (*"amontados"*), the García granddaughters suddenly "realized" and stated that this was "not a tomb" but a mass grave, and they considered it a dishonourable burial

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<sup>51</sup> Helen Graham, "Return of Republican Memory," 318.

<sup>52</sup> See Helen Graham, *The Spanish Civil War: A Very Short Introduction* (Oxford: Oxford University Press, 2005), 30.

<sup>53</sup> This is in accordance with the study of Angela Cenarro, who for instance writes that mothers did not tell the truth to their children, not even about what had happened to their own father, in order to protect them from seeking 'trouble' in the community out of revenge. See Angela Cenarro, "Memory beyond the Public Sphere: The Francoist Repression Remembered in Aragon," *History and Memory* 14 (2002): 174.

<sup>54</sup> The man died of a heart attack a few days later, and the locals said it was of *la pena*, the pain of his discovery. In: Giles Tremlett, *Ghosts of Spain: Travels through a country's hidden past* (London: Faber and Faber, 2012), 7.

<sup>55</sup> Carlos Fidalgo, "Claudio cavó su tumba...", *Diario de León*, October 12, 2014, accessed December 16, 2014, [http://www.diariodeleon.es/noticias/bierzo/claudio-cavo-tumba\\_927495.html](http://www.diariodeleon.es/noticias/bierzo/claudio-cavo-tumba_927495.html).

<sup>56</sup> Eugenio, interview by EFE, audio-recording, Puebla de don Rodrigo, May 28, 2011.

place.<sup>57</sup> Many exhumations reveal that the bodies were buried face down, interpreted by many informants as a major disrespect for the dead.<sup>58</sup>

Francoist politics of burial really become especially clear with exhumations in cemeteries. In Puebla de don Rodrigo, for instance, the five *maquis* were buried, highly symbolic, in the limbo or unconsecrated ground of the cemetery. These are the non-Christian zones of the cemeteries, “reserved for non-conventional burials.”<sup>59</sup> Everyone who did not die ‘*como dios manda*,’ such as people who committed suicide and unbaptized children, was buried in the limbo zone and sometimes even carried into the cemetery through a back gate.<sup>60</sup> In other cases, bodies were buried just outside the cemetery walls or under the entrance of the cemetery so that people would walk over them. There are even rumours about people being placed in a rocking chair at the entrance of the cemetery.

Violence inflicted on female relatives of leftist men or women who showed sympathy for the Republic or progressive values such as gender equality also used the strategy of exposing violence in public. In Chillón, sisters and mothers of the Nine were shaved and paraded around, had to clean the town hall, and were taken to a Mass that was called *la misa de los melones*. They were forced to drink castor oil and eat horse faeces.<sup>61</sup> This is consistent with literature about violence throughout the country in the Civil War, which cites rape and gendered or sexual violence against women as a widespread war practice.<sup>62</sup> According to Renshaw, the humiliating effect of this gendered violence comes from the subversion of public and private. The procession of women was sometimes planned to pass the majority of the houses and end in a public space such as the main square. Stripping and head shaving, according to Renshaw, “exacerbated the exposed condition” of the women. The castor oil that caused vomiting and diarrhoea in public, has been interpreted by Renshaw as a “very literal form of obscenity” that brought “the most private acts” and “physical interiors” of the women into the public eye.<sup>63</sup>

The forensic paradigm that considers the mass graves as signs of the intent to hide the crimes is clearly insufficient to understand these public outbursts of violence.

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<sup>57</sup> García sisters, group interview during exhumation, audio-recording, El Contadero, Chillón, November 2011.

<sup>58</sup> For instance Juan (ARMH volunteer and hobby war archaeologist and collector, pseudonym), interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>59</sup> Priest, interview during exhumation, fieldnotes, Puebla de don Rodrigo, May 26, 2011.

<sup>60</sup> Agustín (older inhabitant of Puebla de don Rodrigo), interview conducted with Jorge Moreno, video-recording, Puebla de don Rodrigo, May 30, 2011.

<sup>61</sup> Beatriz (relative of one of The Nine), conversation during exhumation, fieldnotes, El Contadero, Chillón, November 2011.

<sup>62</sup> Renshaw, *Exhuming Loss*, 67; González-Ruibal, “Absent Bodies”; Capdevila and Voldman, *War Dead*, 103; Helen Graham, “Gender and the State: Women in the 1940s,” in *Spanish Cultural Studies: An Introduction*, ed. Helen Graham and Jo Labanyi (Oxford: Oxford University Press, 1995).

<sup>63</sup> Renshaw, *Exhuming Loss*, 67.

Following the pleas of Helen Graham to “think past the sheer horror of these events” and of Anton Blok to consider violence a “historically developed cultural form of meaningful action,”<sup>64</sup> we have to analyse the practices of disposal and the logics behind it. As Anstett and Dreyfus also remark, the fact that bodies were abandoned or disposed of can be highly significant. Since the violence inflicted on bodies after death was not strategically necessary,<sup>65</sup> we have to look beyond the instrumental aspects of violence to the expressive ones.<sup>66</sup> To grasp the meaning of the violence of the Spanish Civil War, I therefore turn to the framework of ritualized violence and the field of anthropology of death, a field that searches for the message expressed in death and the cultural reactions to it. These cultural reactions encompass the whole long history of interaction with the dead, of which the exhumations are only the last step so far: ways in which the killers disposed of the bodies, digging and filling the graves, mourning, and re-engaging with the grave later in the form of avoiding, visiting, and exhuming. With this framework, we see death as a “prime datum of communication,” to use the words of Johannes Fabian.<sup>67</sup> Instead of situating the exhumations in a frame of truth versus forgetting, as I did in Chapter 1, we place the forensic exhumations here in a longer history of dealing with the dead. This way we can understand both the creation of the mass graves and their exhumation as cultural reactions to death that not only are a reaction to an existing social order but also shape it.<sup>68</sup>

There are several explanations for the ritualized violence previously described. Using the frame of symbolic violence, it becomes clear that the “culture of death”<sup>69</sup> that Francoism developed was invested with historical, cultural, and religious meaning and that there is more at stake than the physical elimination or disappearance of the victims. The violence on both sides was driven by an ideological program of annihilation of the other. The nationalists saw killing as part of constructing a new, “purified,” homogenized, Catholic Spain.<sup>70</sup> Nationalist ‘cleansing’ discourse was based on an apocalyptic Manichaean Catholicism, combined with fascist evolutionary theories. Its

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<sup>64</sup> Anton Blok, “The Enigma of Senseless Violence,” in *Meanings of Violence: A Cross Cultural Perspective*, ed. Göran Aijmer and Jon Abbink (Oxford & New York: Berg, 2000), 24.

<sup>65</sup> Graham, “Return of Republican Memory,” 319.

<sup>66</sup> Anton Blok stresses that “both aspects are important and closely connected” but that “all social action [...] has potentially something ‘to say’.” Blok, “Senseless Violence,” 28.

<sup>67</sup> Johannes Fabian, “How Others Die: Reflections on the Anthropology of Death,” in *Death, Mourning, and Burial: A Cross-Cultural Reader*, ed. Antonius C.G.M. Robben (Malden: Blackwell Publishing, 2004), 58.

<sup>68</sup> This claim is based on Fabian’s application of a statement of Clifford Geertz about religion on cultural reactions to death: “a cultural reaction to death is sociologically interesting not because, as vulgar positivism would have it [...], it describes the social order (which, insofar as it does, it does not only very obliquely but very incompletely), but because [...] it shapes it.” Fabian, “How Others Die,” 57.

<sup>69</sup> Capdevila and Voldman, *War Dead*, 101.

<sup>70</sup> Graham, *The Spanish Civil War*, 29.



military leaders were convinced that Spain had to be “purged of ‘sick bodies.’” With their background in colonial wars, Franco perceived his war not as a Civil War but as a “crusade.” He did not inflict violence upon his ‘own people,’ but on the other, the ‘rojos,’ as if it were a colonial war against insubordinate foreign people.<sup>71</sup> As Franco’s Press Attaché stated: “Our programme is to exterminate (*exterminar*) a third of the Spanish male population. In this way, the country will be cleansed (*se limpiaría*) and we shall rid ourselves of the proletariat.”<sup>72</sup> It was assumed that Spain could only be reborn through a blood sacrifice, and Republican suffering was seen as a “penitence” on the way to redemption.<sup>73</sup> All these acts – the shaving of heads, the display of corpses, and denial of decent burial – are cross-cultural expressions of humiliation, the violation of honour, and subjection.<sup>74</sup>

The public and ritualized violence inflicted on the bodies of the victims served to humiliate and dehumanize the enemy. According to Helen Graham, this dehumanizing violence, administered by Francoist power, reveals the aim of the complete destruction of ‘Red Spain.’ But it is also a common tactic in war to remove moral responsibility for killing fellow human beings.<sup>75</sup> Violence against the enemy’s corpses and displaying their mutilated bodies has historically been inherent to warfare, and it persisted even after international law regulated it at the end of the nineteenth century. This is in line with the dominant form of punishment in the Ancien Régime, characterized by the physical and symbolic mutilation of the body after death, followed by an exhibition of the tortured or fragmented body.<sup>76</sup> Dehumanization was effected through giving the opponents animal names. Francoist authorities ordered to “kill like dogs,” for instance, or stated: “they are like animals, you know [...] After all, rats are the carriers of the plague.”<sup>77</sup> Francoist discourse made *rojo* equivalent to “dirty,” carrier of “filth that

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<sup>71</sup> Graham, *The Spanish Civil War*, 33, 73; Paloma Aguilar, *Memory and Amnesia: The Role of the Spanish Civil War in the Transition to Democracy* (New York: Berghahn Books, 2002), 77.

<sup>72</sup> Franco’s Press Attaché Gonzalo de Aguilera, cited in Michael Richards, *Un tiempo de silencio. La guerra civil y la cultura de la represión en la España de Franco, 1936-1945* (Barcelona: Crítica, 1999), 49-50, cited in Capdevila and Voldman, *War Dead*, 102; also cited in Alberto San Juan and Carlos Olalla, public speech, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>73</sup> Graham, “Return of Republican Memory,” 318-319; Aguilar, *Memory and Amnesia*, 76; Capdevila and Voldman, *War Dead*, 101.

<sup>74</sup> Blok, “Senseless Violence,” 33-34.

<sup>75</sup> Blok, “Senseless Violence,” 29.

<sup>76</sup> McEvoy and Conway, “The Dead, the Law,” 552; Michel Foucault, *Surveiller et punir* (Paris: Gallimard, 1975), cited in González-Ruibal, “Absent Bodies,” s.p.

<sup>77</sup> Rebel general Gonzalo Queipo de Llano, 1936, and Franco’s Press Attaché Gonzalo de Aguilera, cited in Michael Richards, *Un tiempo de silencio. La guerra civil y la cultura de la represión en la España de Franco, 1936-1945* (Barcelona: Crítica, 1999), 49-50, cited in Capdevila and Voldman, *War Dead*, 102; also cited in Alberto San Juan and Carlos Olalla, public speech, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

polluted” soul and body.<sup>78</sup> The violence constructed the republicans as polluting objects that had to be purged, and it thereby legitimized their elimination.<sup>79</sup> The sexual violence was invested with symbols of infamy: it deprived the victims of their manhood in the case of castration of men and their womanhood in the case of shaving women’s heads; and the castor oil was seen as a way to “purify” the women’s bodies of sin.<sup>80</sup>

The concept of disappeared might not fully cover the case of many Spanish *paseados*, but what both have in common is that they are denied funeral rituals. The bodies were disposed of, as described above, in communal graves, away from family and town, together with non-relatives, face down. The spatial formations revealed by exhumations in cemeteries show a politics of burying republicans in unsacred ground.<sup>81</sup> These are clear inversions of socially sanctioned rules of burial in Spain. The denial of a proper burial and the exclusion from funeral rites is recognized throughout history as a form of desecration and humiliation. References to proper ceremonial conduct are the most effective forms of desecration, “for every religious ceremony creates the possibility of a black mass.”<sup>82</sup> Ill-treating the dead is therefore a common practice in conflicts,<sup>83</sup> intended to insult and punish the enemy in death and thereby ‘curse’ their surviving community. Indeed, mass graves are interpreted by people who visit the exhumations today as a “*castigo* (punishment) after death.”<sup>84</sup> Spokespeople of the Spanish memory movement, when confronted with the remark that ‘both sides killed,’ replicate “dead in both sides, yes, but no mass graves,” which points to the experience of permanent injustice of disrespectful burials done to the defeated side, that they want to undo today.<sup>85</sup>

The ritualization of the violence also served to implicate ordinary citizens in the rebel violence, while at the same time exempt them from moral responsibility. Precautions and rituals generally serve to prevent contamination or pollution in the act

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<sup>78</sup> González-Ruibal, “Absent Bodies,” s.p.

<sup>79</sup> Anton Blok sees the expression of “ethnic cleansing” as another example of this: Blok, “Senseless Violence,” 32.

<sup>80</sup> González-Ruibal, “Absent Bodies,” s.p.; Capdevila and Voldman, *War Dead*, 84. Katherine Verdery (*Political lives*, 107) describes how in the former Yugoslavia this practice goes back at least to World War II, when the Slovene conquerors removed Italian corpses from their graves, and it continued in the wars of the 1990s, when Croat graves were machine-gunned by Serbs.

<sup>81</sup> Spatial analysis of violence is dealt with in the work of Katherine Verdery, *Political lives*, 103-105; and Allen Feldman, *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland* (Chicago: University of Chicago Press, 1991), 17-45.

<sup>82</sup> Erving Goffman, cited in Anton Blok, “Senseless Violence,” 27.

<sup>83</sup> Capdevila and Voldman, *War Dead*, 92; Anstett and Dreyfus, “Introduction,” 9.

<sup>84</sup> ARMH, cited in Europa Press, “Mañana se celebra el día internacional de los desaparecidos,” *Europa Press*, August 29, 2010, accessed December 16, <http://www.europapress.es/nacional/noticia-memoria-manana-celebra-dia-internacional-desaparecidos-20100829195649.html>.

<sup>85</sup> Conversation with Aranzadi volunteers on the way to the La Mazorra exhumation, fieldnotes, May 4, 2011.

of killing a human being. Letting the bodies be buried by others already signals this fear of contamination, and of separating oneself from the dead. Sexual mutilation of bodies, in contrast, is often seen as a way to possess and exhibit their strength.<sup>86</sup> Special times and places as well, in the case of the *paseos* usually at night and the outskirts of the towns, situated the killers outside of the moral community.<sup>87</sup> The use of alcohol and the mixture of terror and *fiesta* protected the perpetrators against pollution, which exempted the executors from the moral responsibility of killing human beings. The ritualized violence helped to create scapegoats in the local communities, what in its turn gave the offenders an aura of being on the good side. But it was also a way of implicating (in some cases involuntarily) many villagers in the orchestrated violence, in order to let go their fears of committing violence on their neighbours. They had to become part of the public penitence that had to be performed, the “baptism of blood,”<sup>88</sup> the violent ritual of transition that helped to create a new Spain.

And lastly, the ‘spectacular’ and public aspect of ritualized violence is often aimed to “inspire fear and set an example.”<sup>89</sup> The humiliation of the victims, alive and dead, served to spread terror and put pressure on resistant communities, through the eternal punishment of the dead. Both the display of the remains of nuns and monks or the iconoclasm by republican activists, like the exposure of the dead bodies of ‘The Nine’ in Chillón and the five *maquis* in Puebla, made use of ‘scapegoats’ or representatives of the enemy to govern the minds of their living community through the sacrifice of exempla. The violence did not always target the individual priest but was aimed at delegitimizing the authority of the institution to which the priest, or republican councillor, belonged.<sup>90</sup> The theatrical violence, rather than an outburst of irrational fratricide, as popular opinion holds, served to reassert control over revolutionary Spain.<sup>91</sup> Following research suggestions by Finn Stepputat about the link between the fate of dead bodies and sovereignty, we can sum up that the power over the dead that Nationalist violence exhibited helped to build a new order and authority over the living.<sup>92</sup> Just as is the case with enforced disappearances in the Latin American *juntas*, some knowledge of the violence has to slip through in order for the terror to stay engraved in the internal enemies’ minds.

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<sup>86</sup> Capdevila and Voldman, *War Dead*, 87.

<sup>87</sup> Blok, “Senseless Violence,” 29.

<sup>88</sup> Michael Richards, “From War Culture to Civil Society: Francoism, Social Change and Memories of the Spanish Civil War,” *History and Memory* 14 (2002): 112.

<sup>89</sup> Blok, “Senseless Violence,” 31.

<sup>90</sup> Graham, *The Spanish Civil War*, 108

<sup>91</sup> Also see Graham, “Return of Republican Memory,” 318.

<sup>92</sup> Finn Stepputat, ed., *Governing the dead: Sovereignty and the politics of dead bodies* (Manchester: Manchester University Press, 2014), 29.

At the time of the war itself, there were not many reasons to hide the violence. Civilian militia members were rewarded for participating in the violence, and the prospect of a defeat of the Republic gave a sense of impunity to many local supporters of the rebellion, as well as a “matter of-fact acceptance of the necessity of political killings.”<sup>93</sup> In general, chances were very slim that the winning side of the war would be judged for its war crimes. Until then, victor’s justice had prevailed, and international humanitarian law and human rights investigations around war crimes, crimes against humanity, and genocide only developed after the Second World War.

In sum, due to the public and exemplar nature of the violence, the mass graves with *paseados* were in many villages known but surrounded with an atmosphere of rumours, taboo, and fear. In many cases, such as Oropesa and Chillón, the land was left fallow even until today.<sup>94</sup> Emilio Silva recounts how children would avoid the site of the mass grave of his grandfather, and in Chillón, women whispered how they suddenly got shivers when they drove their donkeys along the Contadero. This memory was also somehow transmitted through to today, as most exhumation teams rely on passed-on accounts to find the grave. The mass graves in this study were all pointed out by eyewitnesses who had seen the bodies or churned up soil, heard rumours, or had buried the bodies themselves.

#### 4.2.2 1939: Private memory

So, if many mass graves are locally known, how should we understand the “pact of forgetting” or “silence” that the Spanish exhumation movement claims to break? Scholars have coined the pact of silence a “political silence,”<sup>95</sup> a condition of “atomisation” and intergenerational dismantling of memory communities, creating a “hostile memory environment” or interpreted the consequences of it today in the framework of “postmemory.”<sup>96</sup> I here mainly want to put forward the kind of “forgetting” or “silence” installed by Franco’s victory in 1939 as a ‘non-acknowledgement’ of the violence inflicted on civilians associated with the Republic – socially, with a prohibition on public mourning rituals, and officially, with an exclusive recognition of only nationalist dead. This confines Republican memory to the private sphere and makes the Spanish mass graves textbook examples of ‘public secrets’: to a certain extent they are known, but all non-acknowledged. If we return to our

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<sup>93</sup> Renshaw, *Exhuming Loss*, 64–65.

<sup>94</sup> This is confirmed by Emilio Silva as a common practice: Emilio Silva, email-interview, August 15, 2010.

<sup>95</sup> Jay Winter, “Representations of War and the Social Construction of Silence,” in *Fighting words and images: Representing war across the disciplines* (Toronto: Toronto University Press, 2012), 30.

<sup>96</sup> Renshaw, *Exhuming Loss*, 32. “Postmemory” is a concept of Marianne Hirsch (1996).

framework of the management of public and private, the Spanish mass graves, after a phase of exposed violence, have been, rather than forgotten, concealed in the sense of being relegated to the private sphere.

Public mourning or commemorating the Republican dead was usually not accepted.<sup>97</sup> There are cases known of women being arrested for wearing black for their republican relatives.<sup>98</sup> In the cases in this study as well, people recalled similar stories. In Villalibre, after having covered her shot son Arsenio Macías with a blanket, the mother was told never to talk about her son or mourn him. In Oropesa, the women, after a week-long search for their husbands that took them to prisons all over the region, learned that the men had been killed. When the woman arrived at the Plaza Mayor, it is said that the mayor's wife told them to stop crying. In Puebla de don Rodrigo, once the *maquis* were buried in the cemetery's limbo, people were prohibited from maintaining that zone or marking the graves with a cross or flowers, "as if they were criminals."<sup>99</sup> In any case, common Spanish funerary rites were hindered. The mass grave sites are often difficult to reach, especially for the elderly, which is often one of the motivations for an exhumation.

A prohibition on mourning is a form of ritual violence – in fact, here the absence of any ritual is itself the violence inflicted – used throughout history to impose a continuous persecution on the living. It was institutionalized as psychic terror under the Nazis, the South American *juntas*, and during the colonial wars of independence.<sup>100</sup> In Spain, however, this has important ramifications for the definition of the public and private spheres. Especially in Spain, mourning is highly public and socially structured.<sup>101</sup> Relatives have to perform some social duties, such as tending to the grave and wearing black, which are very conspicuous: being seen mourning is as important as mourning itself. Especially female mourning has been codified: widowhood gave lone women a clear social role and allowed them to display a continued relationship with the dead. For children, mourning was a public expression of fidelity, legitimate paternity, and loyalty to their origins. The privatization of a process that was normally social and performative caused feelings of shame and guilt among the descendants, up until

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<sup>97</sup> See, for instance, Graham, "The Return of Republican Memory," 321; Graham, *The Spanish Civil War*, 137; Cenarro, "Memory beyond the Public Sphere," 173; Layla Renshaw, "Missing Bodies Near-at-Hand: The Dissonant Memory and Dormant Graves of the Spanish Civil War," in *An anthropology of absence: Materializations of transcendence and loss*, ed. Mikkel Bille et al. (New York: Springer, 2010), 46; Renshaw, *Exhuming Loss*, 66.

<sup>98</sup> Capdevila and Voldman, *War Dead*, 103.

<sup>99</sup> Conversations during exhumation, fieldnotes, Puebla de don Rodrigo, May 2011.

<sup>100</sup> Blok, "Senseless Violence," 29; Capdevila and Voldman, *War Dead*, 100.

<sup>101</sup> As Robert Hertz already argued: death "evokes moral and social obligations." Cited in Antonius C. G. M. Robben, "Death and Anthropology: An Introduction," in *Death, Mourning, and Burial: A Cross-Cultural Reader* (Malden: Blackwell Publishing, 2004), 9.

today.<sup>102</sup> Although many young Spaniards no longer like the tradition of wearing black to mourn, performing funeral rites is still seen as a social duty. When some relatives in Chillón were discussing what they would wear during the reburial, for instance, they said that it should be a festive atmosphere, although they did show up in black, because “here we do the things like they should be done.”<sup>103</sup>

In contrast to Nationalist victims (civilians, clerks, and soldiers), republican victims and their relatives did not receive official recognition of their deaths. Generally, a family’s evidence about the executions was reduced to rumours.<sup>104</sup> Especially at the beginning of the war, orders were given not to register Republican dead.<sup>105</sup> Many families did not receive death certificates, which impeded any rights to widows’ pensions or taking over the businesses of husbands after confiscation by the Francoist state.<sup>106</sup> In La Mazorra, one widow, who wanted to obtain a death certificate in order to receive a widow’s pension, needed two testimonies of her husband’s death. Perversely, this meant that she had to ask the executors or their accomplices to accompany her to the townhouse. The defeated side has almost no public visibility in street names or commemorative monuments, except for some monuments on mass graves and in cemeteries, erected by associations or relatives, and some recent initiatives by regional or local governments. The Republicans – and their project – were not part of Spain’s official history.

The ARMH calls victims such as Arsenio Macías an “official *desaparecido*.” This situation is somewhat the reverse from Argentina, however. In Argentina, the *desaparecido*’s whereabouts are usually unknown by the families but known and held secret by former authorities of the *junta*. In Spain, the fate of many victims is known to some extent by the family and immediate community but unacknowledged by the state and disappeared from the public scene.

From the moment Franco declared the war to be over with his declaration “*la guerra ha terminado*” in 1939, public space was dominated by Francoist triumphalism.<sup>107</sup> The casualties on the winner’s side were honoured and commemorated officially by the Francoist state on the local and national levels from the end of the war on. By the end of the Civil War, Franco declared all sites where Nationalist victims were buried public land. Mass graves with Nationalist victims, such as the notorious Paracuellos grave site, were investigated, exhumed or honoured. With a decree in 1939, all fees regarding

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<sup>102</sup> Renshaw, *Exhuming Loss*, 66–67.

<sup>103</sup> Carmen (relative of one of ‘the nine’), conversation during reburial, fieldnotes, Chillón, May 1, 2012.

<sup>104</sup> Cenarro, “Memory beyond the Public Sphere,” 173.

<sup>105</sup> Capdevila and Voldman, *War Dead*, 103.

<sup>106</sup> Cenarro, “Memory beyond the Public Sphere,” 174.

<sup>107</sup> Renshaw, *Exhuming Loss*, 66.

exhumations and burials of victims of the winning side were waived or reduced.<sup>108</sup> In many churches and on main squares, crosses appeared with the names of the *Caídos por Dios y España* (Fallen for God and Spain), *Presentes!* with as first name the founder of the Falange José Antonio Primo de Rivera. A massive national monument was built with forced labour in the 1950s. *Valle de los Caídos* (Valley of the Fallen) became a huge mausoleum in fascist style carved out of the rocky mountains near Madrid (see fig. 24). A massive operation was begun in 1959 to exhume, transport, and rebury more than 30,000 ‘catholic fallen soldiers.’ Only recently was it brought to light that corpses of Republicans as well were brought to the mausoleum, without permission or knowledge of the relatives.<sup>109</sup> Villages and streets were named after Nationalist generals or Franco himself (see fig. 24). On the international level, 1,500 people, largely priests and nuns, who refused to renounce their faith during the Civil War were beatified as ‘martyrs’ by the Vatican – making Spain the country with the most martyrs in the world. The Nationalist martyrs and monuments helped to sanctify Franco’s power as the new Spanish *Caudillo*.<sup>110</sup> The memory movement often contrasts the death of Franco himself, a peaceful death in his own bed and buried with the honours of a head of state, with how poorly the Republican dead were treated. Even until the present day, Franco’s death is commemorated every year with a church service, a march of the Falange to *Valle de los Caídos*, and his memory is kept alive by the Fundación Francisco Franco, an association subsidized by the state.

The repression of public mourning and the absence of public spaces for commemoration fostered the confinement of Republican memory to the private sphere. Several authors have already described how families of the losing side had to retain their memory in “private and subterranean spaces.”<sup>111</sup> Many children were told not to talk about the family history outside of the house.<sup>112</sup> Many of my informants recalled the post-war years with the words ‘*callados callados*’ (silent silent), which is confirmed by Renshaw’s research.<sup>113</sup> Emilio Silva himself recalled that he had always been “educated to shut up.”<sup>114</sup> Richards goes so far to say that Francoism installed a “forced privatization of the individual,” which caused an attitude of “prudence,” rather than

<sup>108</sup> Humphrey, “Law, Memory and Amnesty,” 31.

<sup>109</sup> Francisco Ferrándiz, “Guerras sin fin: guía para descifrar el Valle de los Caídos en la España contemporánea,” *Política y Sociedad* 48 (2011); Also see: Comisión de Expertos para el Futuro del Valle de los Caídos, *Informe* (Madrid: Ministerio de la Presidencia, 2011).

<sup>110</sup> Humphrey, “Law, Memory and Amnesty,” 27.

<sup>111</sup> Graham, *The Spanish Civil War*, 50.

<sup>112</sup> Emilio Silva, interview by Cadena Ser: “Emilio Silva: ‘Ser pariente de un rojo asesinado te podía causar problemas,’” accessed December 16, 2014, [http://cadenaser.com/programa/2013/08/30/audios/1377820244\\_660215.html](http://cadenaser.com/programa/2013/08/30/audios/1377820244_660215.html).

<sup>113</sup> Renshaw, *Exhuming Loss*, 72.

<sup>114</sup> Emilio Silva, public speech, fieldnotes, 10 years ARMH, Priaranza del Bierzo, October, 24, 2010.

forgetting.<sup>115</sup> This “privatization” of memory, according to the ethnographic studies of Susana Narotzky and Gavin Smith, eroded the “social” aspect of those memories.<sup>116</sup>

In some cases, the vanquished were excluded from many aspects of public life. Many feared public authorities and learned not to get involved in anything (*‘no hay que meterse en nada’*).<sup>117</sup> This was still very strong when the exhumations began, as many exhumation practitioners were warned by their families not to get involved (*‘no te metas en eso’*) and still suspect that their names are on some sort of “list, just as with the *coup d’état* in 1981.”<sup>118</sup> Some descendants of republicans were denied access to university or scholarships, and widows could not continue their husband’s business because the businesses were confiscated.<sup>119</sup> In Chillón, the García sons were annoyed with fines and controls for just about everything.<sup>120</sup> The family of the youngest of ‘the Nine’ was “pestered the life out” after the killings and felt forced to move.<sup>121</sup>

Some of the widows who stayed in Chillón withdrew from public life altogether. Ironically, one of the female codes of mourning is exactly to “modestly avoid other activities in the public realm,” which seems what some of the female relatives in Chillón have done. They avoided the Plaza and Calle Mayor in order not to run into anyone who had been complicit in the killing of ‘the Nine.’ Some relatives recalled their grandmothers as austere, not allowing happiness in their homes. The widows were forced to do *estraperlo* – smuggle on the black market.<sup>122</sup> This is in accordance with historical studies that describe how female relatives of prisoners were not spoken to on the street, were not given ration cards, not allowed in church or on the plaza outside. Many Republican women were also forced to work in prostitution.<sup>123</sup>

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<sup>115</sup> Richards, “From War Culture,” 111.

<sup>116</sup> Susana Narotzky and Gavin A. Smith, “‘Being político’ in Spain: An Ethnographic Account of Memories, Silences and Public Politics,” *History & Memory* 14 (2002): 219.

<sup>117</sup> Michael Richards, “From War Culture to Civil Society: Francoism, Social Change and Memories of the Spanish Civil War,” *History and Memory* 14 (2002), 110–111; Graham, *Spanish Civil War*, 51; Many informants confirmed this when telling their life-history, for instance Valentín García (son of one of ‘the nine’ in Chillón), interview conducted by Jorge Moreno and me, audio-recording, Almadén, November 15, 2011.

<sup>118</sup> Francisco Etxeberría, for instance, explains how he and his colleagues, expert-practitioners, were confronted with incomprehension in their families when they started the exhumations (Etxeberría, lecture, Ponferrada); Conversations with ARMH volunteers, fieldnotes, Almadén, April 30, 2012.

<sup>119</sup> Cenarro, “Memory beyond the Public Sphere,” 174.

<sup>120</sup> Valentín García (1930, oldest son of one of ‘the nine’ in Chillón), interview conducted by Jorge Moreno and me, audio-recording, Almadén, November 15, 2011.

<sup>121</sup> Conversation with Amparo (niece of one of ‘the nine’) during reburial, fieldnotes, Chillón, May 1, 2012.

<sup>122</sup> Angela and Amparo (nieces of one of ‘the nine’), interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, October 29, 2011; Valentín García, interview, Almadén.

<sup>123</sup> González-Ruibal, “Absent Bodies,” s.p.; Narotzky and Smith, “Being político,” 204; Graham, *The Spanish Civil War*, 136.



The retreat from public life was total in the cases of the *topos* (moles). They were Republicans, soldiers who returned from the front or former prisoners who for the first six years after the war were not allowed to return to their villages.<sup>124</sup> They remained hidden in their houses, some of them for decades, until Franco's death.<sup>125</sup> Sometimes they risked informing the local doctor of their existence when they were sick. When a *topo* in Villalibre, Claudio Macías, started to feel very weak, however, he dug his own grave in the cellar of his house.<sup>126</sup> His secret was literally buried in the private confines of the home until its exhumation in 2014. As Graham sums up, "the defeated cast no reflection. No public space was theirs."<sup>127</sup>

In some cases, the memory remained confined to the nuclear family. Many examples are known of parents or grandparents who, for instance, did not talk about the repression they or the children's parents had suffered, in order to protect the children from stigma and retaliation or from taking revenge in some form and, therefore, endanger themselves.<sup>128</sup> This went far, as people held their memories hidden even for friends and family. Natividad Rodrigo, who was orphaned by the repression in 1936, was told by her grandparents that her parents had left her.<sup>129</sup> Hilda Farfante, for instance, lost her parents, both republican teachers, to the repression and told nobody about it. When, after her teacher at school had said horrible things about the *rojos*, she went to cry in the toilets, a friend of her asked what was wrong. She finally told her the truth, upon which the friend replied that her parents had been killed as well, something they had not known about each other.<sup>130</sup> And as Silva explains, some histories "only exist in

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<sup>124</sup> Narotzky and Smith, "Being político," 204.

<sup>125</sup> See, for instance, Anje Ribera, "Los topos del franquismo," *El Correo*, July 30, 2014, accessed December 16, 2014, <http://www.elcorreo.com/bizkaia/sociedad/201407/30/topos-franquismo-20140730084120.html>.

<sup>126</sup> Fidalgo, "Claudio cavó su tumba...."

<sup>127</sup> Graham, "Return of Republican Memory," 321.

<sup>128</sup> Cenarro, "Memory beyond the Public Sphere," 174. Children protected their parents as well, as was the case of María Martín, who died in 2014 without having been able to exhume and rebury her mother: her father did not tell his children when he was beaten up, again and again, while she as well did not tell him that she was given castor oil many times. See Aitor Fernández, "A nosotros, que no somos nada, el mundo entero nos da la espalda," *Date Cuenta*, July 23, 2014, accessed December 16, <http://www.datecuenta.org/a-nosotros-que-no-somos-nada-el-mundo-entero-nos-da-la-espalda/>.

<sup>129</sup> Natividad Rodrigo (1931), conversation, fieldnotes, sit-in Complutense, Madrid, April 23, 2010. For her life-history, Also see José-Luis Peñafuerte (dir.), *Los Caminos de la Memoria*, Documentary film (Dolby Digital, 2009), 35mm, 96 min.; And "Sin muertos, tampoco hay culpables," *Memoria Pública*, March 27, 2012, accessed December 16, 2014, <http://blogs.publico.es/memoria-publica/2012/03/27/sin-muertos-tampoco-hay-culpables/>.

<sup>130</sup> See Natalia Junquera, "Hilda Farfante: 'Me siento culpable de lo que pasa a Garzón,'" *El País*, April 15, 2010, accessed December 16, 2014, [http://elpais.com/diario/2010/04/15/espana/1271282407\\_850215.html](http://elpais.com/diario/2010/04/15/espana/1271282407_850215.html); conversation, fieldnotes, sit-in Complutense, Madrid, April 23, 2010.

the memory of the people,”<sup>131</sup> confined to the ultimate private sphere of people’s personal consciousness. This is especially the case with sexual or gendered violence that is associated with feelings of shame.<sup>132</sup>

The fact that ‘knowledge’ about the facts in actuality consisted only of rumours caused disbelief, among Republican families themselves and in society as a whole. In Oropesa, one of the widows remained convinced that her husband had fled to France, because after his disappearance she could not find his papers at home. After her death her family found the man’s papers in the house.<sup>133</sup> Or take the case of the mother of a recently identified victim in the cemetery of Valdenoceda: she believed he had abandoned his family in Badajoz, while he had in fact been imprisoned in Valdenoceda hundreds of kilometres up north.<sup>134</sup> Families who wanted to tell their stories did not find any “willing interlocutors” and were not heard, which reinforced their “habits of silence.”<sup>135</sup> The fact that the suffering of the defeated was not acknowledged caused, according to Francisco Etxeberria, a “double victimization.” They were victims of the massacres, and “of history,” when they were not “believed,” or were “disavowed exactly their tragedy.”<sup>136</sup>

In some extreme types of the Francoist violence, the violence was actually completely hidden, unknown, or cut off for the next generation. This is the case for the presumably thousands of *niños robados* (abducted children), who were abducted from their republican mothers in prisons and hospitals and raised by Francoist families. Or in the cases of victims who were taken from their homes in the war and taken to a prison tens or hundreds of kilometres away, to be shot there or die from hunger and disease without informing the families.<sup>137</sup> Descendants of *maquis* also often live in ignorance or uncertainty of their paternity, since many women of *maquis* gave their children their own name.<sup>138</sup>

The lack of public space to mourn and remember the Republican dead reinforced the criminalization of the *rojos* installed by Franco’s regime. All persons who had defended the Republic were legally penalized, and the Francoist post-war rhetoric that blamed

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<sup>131</sup> Emilio Silva, “Ser pariente de un rojo.”

<sup>132</sup> Renshaw, *Exhuming Loss*, 68.

<sup>133</sup> Conversation with Natalia (granddaughter of victim), fieldnotes, reburial, Las Ventas de Julián, March 19, 2011.

<sup>134</sup> Exhumación Valdenoceda, facebook post, November 3, 2014.

<sup>135</sup> Jo Labanyi, “Memory and Modernity in Democratic Spain: The Difficulty of Coming to Terms with the Spanish Civil War,” *Poetics Today* 28 (2007), 109.

<sup>136</sup> Etxeberria, lecture, Ponferrada.

<sup>137</sup> González-Ruibal, “Absent bodies,” s.p.

<sup>138</sup> Two ARMH volunteers have relatives who are sons of *maquis* and who know nothing about the family of their fathers (Conversations during exhumation Puebla de don Rodrigo, May 2011).

the war on the republicans and depicted republicans them as red barbarians.<sup>139</sup> The post-war repression purged Republicans from public positions of influence, while at the same time penetrating their private lives, which made even their homes insecure. Regional languages such as Catalan were forbidden, and homosexuality was not tolerated. State agencies such as the *Sección Feminina* of the Falange subjected women and children to a program of ‘re-education’ and ‘penitence.’<sup>140</sup> In Chillón there was a wave of church weddings after the war, since all civil marriages were annulled under Francoism.<sup>141</sup> Because the memory of Republicans did not fit into the new “moral reality,” they kept silent, which reinforced the suspicion cast upon them<sup>142</sup> and made the criminalization last until the present. In Chillón, this was indicated by children’s comments about the bodies in the mass graves that *algo habrán echo* (they must have done something). Eugenio in Puebla often felt the need to stress that his grandfather “had done nothing wrong.” Internalized criminalization caused a sense of guilt, shame, and isolation amongst the children of the killed Republicans, resulting in a self-continuing public silence.<sup>143</sup>

The contrast between the experiences shared in private with the official memory politics of the Francoist state<sup>144</sup> caused a “schism between public and private memory,”<sup>145</sup> what Emilio Silva has coined a “schizophrenic” situation or a life with “double personality,” in and outside their homes.<sup>146</sup> Descendants of the *represaliados* lived a different life in public than in private. Even the choice of names became a subject of repression, as was the case for José Antonio Rivas in Pol, who named his children Lenin and Igualdad, and who was executed in 1936.<sup>147</sup> This was the case for Liberto in Oropesa, who used different names (Heriberto, Filiberto, Umberto, etc.) under the dictatorship to avoid trouble. The different ways of knowing, both matter-of-fact and publicly denied, caused what Michael Richards calls a “life in parenthesis,” and Helen

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<sup>139</sup> Humphrey, “Law, Memory and Amnesty,” 28–31.

<sup>140</sup> Graham, *The Spanish Civil War*, 136; González-Ruibal, “Absent bodies,” 4.

<sup>141</sup> Jerónimo Mansilla Escudero and Luis Miguel Montes Oviedo, *El crimen de El Contadero: Los nueve asesinados de Chillón (3 de junio de 1939)* (Chillón: Jerónimo Mansilla Escudero, 2009), 42.

<sup>142</sup> Cenarro, “Memory beyond the Public Sphere,” 175–177.

<sup>143</sup> *Ibid.*, 185.

<sup>144</sup> Paloma Aguilar, *Memory and Amnesia*, 31.

<sup>145</sup> Graham, “Return of Republican Memory,” 321.

<sup>146</sup> Emilio Silva, question-and-answer session, theatre session CSIC, fieldnotes, Madrid, November 23, 2010; Emilio Silva, “Ser pariente de un rojo.”

<sup>147</sup> Henrique Mariño, “Cuando llamar a tus hijos Lenin y Igualdad te costaba la vida,” *Público*, June 5, 2011, accessed December 16, 2014, <http://www.publico.es/espana/380173/cuando-llamar-a-tus-hijos-lenin-e-igualdad-te-costaba-la-vida>; ARMH, *Informe de la exhumación de una fosa individual en San Mamede do Río (Lugo)*, Ponferrada, 2010.

Graham an “inner exile” that points to a concealment of knowledge even from oneself in the end.<sup>148</sup>

In sum, after dehumanizing Republicans during the war as part of ‘purifying’ Spain, the Francoist victory in 1939 privatized the memory to the Republican *represaliados*, and banned them and their living communities from the public sphere. Public commemoration is more than a question of remembering versus forgetting. It defined the status of the deceased and excluded them from nationhood. The Republicans and their political project were banned from the nation from 1939 onwards.<sup>149</sup> The Republican dead had been briefly visible and exposed, and their deaths were known by testimonies and rumours, but concealed in the sense of left out of the public sphere on both the national and local levels.

#### 4.2.3 1977: Privatization of Republican memory secured

The ‘modelic’ transition to democracy after Franco’s death in 1975, based on an Amnesty Law (1977) and the so-called ‘pact of forgetting’ confirmed this privatization of Republican memory. First, democratization removed control by Francoist politics over private issues such as marital arrangements, religion, sexual identity, and education. Furthermore, victims of the defeated side were from then on gradually recognized as victims, which allowed for reparations in the form of pensions and compensations for injury. But although the recognition in the form of reparation now considered both parties equally guilty and equally victim, the long-term discrimination and the issue of the mass graves was still left out of the political and legal process, which again excluded the families of the *paseados*.<sup>150</sup>

Just as in 1939, the past was not forgotten; on the contrary, a vivid memory of the violence, in the form of a fear of repetition of the fratricidal violence kept alive by the Francoist official memory of the war, was the reason for the so-called “pact of forgetting.”<sup>151</sup> As historian Paloma Aguilar states: “only a nation so traumatised by war could be so devoted to peace.”<sup>152</sup> Rather than deciding to forget, the new political elites agreed that the memory of the war should not be turned into a “political weapon.”<sup>153</sup>

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<sup>148</sup> Cited in Layla Renshaw, “Missing Bodies,” 48, 57.

<sup>149</sup> Capdevila and Voldman, *War Dead*, 103; McEvoy and Conway as well point to these functions of commemoration that go beyond remembering: McEvoy and Conway, “The Dead,” 547.

<sup>150</sup> See Humphrey, “Law, Memory and Amnesty,” 31.

<sup>151</sup> Aguilar, *Memory and Amnesia*, 266–267; Paloma Aguilar and Carsten Humlebaek, “Collective Memory and National Identity in the Spanish Civil War,” *History and Memory* 14 (2002): 132

<sup>152</sup> Aguilar, *Memory and Amnesia*, 135.

<sup>153</sup> *Ibid.*, 269.

The memory of the violence, which was considered divisive, was deliberately kept out of the collective decision-making and political process.

Jay Winter calls the Spanish ‘pact of forgetting’ a “political silence,” based on a political negotiation, and adds that “not saying what everyone knew” was a “strategy accepted by everyone at the time to ensure the success of a peaceful transition to democratic rule.”<sup>154</sup> We now know, however, that there were actually claims for a public and official enquiry of the past in the form of, for instance, a truth commission or tribunal.<sup>155</sup> It was a pact brokered by the moderate political elites. The agreement for the new constitution and the Amnesty Law was reached without the legalization of the republican parties,<sup>156</sup> which is why Emilio Silva described the process as “blocking the sovereignty of the people.”<sup>157</sup> As in other top-down transitions, the weaker party, the Republicans, had to trade in some of their wishes and projects in order to achieve basic political rights.<sup>158</sup>

This means that by 2000, when the Republican memory movement took off, it faced a situation in which the memory of Francoist repression had been further and further withdrawn in the private sphere, and every day more distanced in time and generations. The private status of republican memory and the memory to Francoist repression was taken so much for granted that placing it on the public agenda cost a lot of effort and continues to be a challenge.

However, the violence left remnants: the bodies stayed present “under the surface” of public life,<sup>159</sup> as “hidden transcripts” of a vanquished Republican project, with the potential for resistance.<sup>160</sup> In many villages, relatives went to bring flowers to the grave, even if the road at the side of which they were located turned into a highway after some

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<sup>154</sup> Winter, “Social Construction of Silence,” 30.

<sup>155</sup> See, e.g., Patricia Campelo, “El Tribunal Internacional contra el franquismo trató de frenar una transición basada en el olvido,” *Público*, December 2, 2013, accessed January 7, 2015, <http://www.publico.es/politica/tribunal-internacional-franquismo-trato-frenar.html>.

<sup>156</sup> Patricia Campelo, “Sin los partidos republicanos, las primeras elecciones generales carecieron de legitimidad,” *Público*, June 11, 2014, accessed December 16, 2014, <http://www.publico.es/526496/sin-los-partidos-republicanos-las-primeras-elecciones-generales-carecieron-de-legitimidad>.

<sup>157</sup> Emilio Silva, “Puede organizar una jefatura del Estado la ciudadanía?” *El Diario*, June 10, 2014, accessed November 19, 2014, [http://www.eldiario.es/zonacritica/Puede-organizar-jefatura-ciudadania\\_6\\_269533063.html](http://www.eldiario.es/zonacritica/Puede-organizar-jefatura-ciudadania_6_269533063.html); Andre Rigby, studying the ‘Spanish model,’ adds to this that it is significant that the Spanish transition was implemented before the concept of ‘civil society’ emerged as a renewed category in political theory. Andre Rigby, ‘Amnesty and Amnesia in Spain,’ *Peace Review* 12 (2000): 73–79, cited in Rubin, “Against the State,” 102.

<sup>158</sup> Humphrey, “Law, Memory and Amnesty,” 34.

<sup>159</sup> Term from Mariane Ferme, *The underneath of things: Violence, history, and the everyday in Sierra Leone* (Berkeley: University of California Press, 2001).

<sup>160</sup> Concept of James Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven & London: Yale University Press, 1990).

years.<sup>161</sup> In La Mazorra, even if José did not admit it in public during interviews, his wife said he visited the grave every year on All Saint's Day, November 1. In some regions, as La Rioja, widows were able to resist the prohibition on mourning collectively.<sup>162</sup> In Chillón, the widows did wear black. The widow of Pablo Madrid, when she did walk the Calle Mayor and crossed someone that had been implicated in the killings, started shouting “asesinos,” as her grandson remembers today. Relatives succeeded in placing a commemorative plaque at the site during the dictatorship. On the first May 1 after the first democratic elections in 1977, the sister of one of ‘the nine’ hung a red flag on her balcony with a black band. In the 1980s, relatives succeeded in placing a monument on the mass grave site.

Just as in the Southern Cone, the concealment of the bodies proved an instrument of terror with an expiration date.<sup>163</sup> Since the punishment of an obliterated body is meant to be imprinted in the minds of the subjected, the mass graves stayed part of a collective, albeit repressed, memory. After the bodies had become a mobilizing force of resistance in the Southern Cone, the Spanish bodies likewise became the stake of a memory movement. As in other post-conflict cases, the inability to mourn turned into a cult of memory. Just as burial rites create the possibility of the ‘black mass’ of ritual violence, the ritual violence gives way to resistance against the violence. From 2000 on, Emilio Silva, Santiago Macías, and their network of friends, family, and colleagues made the attempt to repair the situation and bring the mass graves out from behind their veil of concealment.

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<sup>161</sup> I came across several examples, amongst others in Chillón and La Mazorra, where informants told us they frequently brought flowers to the grave during the dictatorship; The archaeological report on the mass grave of Turanzas also mentions how neighbours and relatives brought flowers to the mass grave for a long time (see Andrea Menéndez, *Informe Arqueológico de las excavaciones realizadas en la fosa de Turanzas* (Posada de Llanes, Federación Estatal de Foros por la Memoria, 2006), accessed January 7, 2015, [http://www.foroporlamemoria.info/noticia.php?id\\_noticia=782](http://www.foroporlamemoria.info/noticia.php?id_noticia=782); Emilio Silva mentions this practice in Priaranza as well (see ARMH, *La exhumación de “Los trece de Priaranza” octubre año 2000*, documentary film (2011), 58 min. Online audio-visual file, accessed June 27, 2012, <http://www.youtube.com/watch?v=CxB1kDkx4Ww&feature=g-all-u&context=G273da2bFAAAAAAAGAA>); Also see the case of María Martín: Fernández, “Nos da la espalda.”

<sup>162</sup> The widows of La Barranca in La Rioja engaged in public mourning already during the dictatorship (see Asociación para la Preservación de la Memoria Histórica en La Rioja, ed., *Mujeres de Negro* (Logroño: Gráficas Ochoa, 2011).

<sup>163</sup> Capdevila and Voldman, *War Dead*, 101, 103, 106.

### 4.3 Exhumations as mobile seminars in public history

Just like any kind of politically negotiated silence, the Spanish “pact of silence” has a ‘life history’ and has been subject to change since 1977. However, breaking silences and renegotiating the boundaries of public and private memory do not go together automatically, as Winter’s shoreline metaphor would at first lead us to believe.<sup>164</sup> Historically, boundaries between public and private have been subject to change and political struggle. Placing certain issues on the ‘public agenda,’ and thereby shifting the boundaries of the public and private sphere, has always been an aspiration for emancipatory movements. In the case of accords such as the Spanish ‘pact of silence,’ this requires ‘memory activists.’ Jay Winter points to people holding “liminal positions” in society (poets, actors, and madmen but also historians), as those who violate accords of silence. In the Spanish case, Angela Cenarro argues that historians, since roughly the 1990s, have been leaders in opening up new public spaces, such as local or oral history projects sponsored by academic and local institutions.<sup>165</sup> This study investigates whether we can consider the forensic mass grave exhumations an important factor in breaking the privatization of Republican memory.

Making ‘public secrets’ ‘public’ has not been an easy task for the Spanish memory movement. Let us take a look at *how* the memory movement breaks this prohibition on public dealing with the Republican dead and past, and how they move from knowledge to acknowledgement. Actually, the fact that the Spanish memory movement is spearheaded by the practice of exhumations and reburials allows new and unique opportunities for doing this. Especially the unregulated and grass-roots character of the exhumations is crucial to understanding their impact on the acknowledgement of the *represaliados* of Francoist repression. As explained in the previous chapter, the Spanish exhumations happen without a judicial framework, which is rather unique since the recent “forensic turn” or judicialization and professionalization of exhumations, of which the Spanish exhumations form part. The lack of judicialization has given the Spanish exhumations an informal, open, and communal character, which is not the case in exhumations that are part of criminal investigations, such as those in Argentina and the former Yugoslavia.

In a country where the government shies away from official reparation politics, the exhumations have become one of the tools memory associations can use to render public the previously private past suffering of the defeated. This section describes how the exhumation process achieves this. Through which procedures, sanctioned by whom,

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<sup>164</sup> Winter, “Representations of War,” 28–30.

<sup>165</sup> Cenarro, “Memory beyond the Public Sphere,” 165–185.

is the ‘known’ articulated and disseminated? How is the public for this knowledge constituted?

I will describe how exhumations have become ‘mobile seminars’ in public history, with a wide impact, and involving many people in a new *milieu de mémoire*. It is this participative and pedagogic character of the Spanish exhumations that has led to a chain of sharing memories between different groups and individuals in the public sphere. This way the exhumations form a new contribution to what John Torpey calls “communicative history,” a policy field that has become part of reparation politics in many countries around the globe but that is usually constructed from more classic ‘top down’ educative initiatives such as the revision of school textbooks and the erection of memorials.<sup>166</sup>

### 4.3.1 Public and discursive spaces

*Interviewee: “And why is it that you want to interview me?”*

*Anthropologist: “So that the truth can be known.”*

*Interviewee: “But I already know what happened!”<sup>167</sup>*

The ARMH frequently stresses the public character of its exhumations. From the first day of the exhumation, the exhumation associations turn the concealed gravesite – be it at a roadside, in a cemetery, on private land, or even in the cellar of a house – into a temporary communal, participative, and “discursive” space.<sup>168</sup> This proves to be very important for lifting the memory of the defeated out of its previous clandestine sphere.

First of all, the associations appropriate the site and declare it an open and communal zone. This happens usually just symbolically for the duration of the exhumation, but in Andalucía there is a law in the making that allows for temporal expropriation of land, which is reminiscent of the Francoist law I cited above.<sup>169</sup> In most cases, this

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<sup>166</sup> Torpey, “Introduction,” 6.

<sup>167</sup> Conversation about an interview conducted by Jorge Moreno, fieldnotes, Puebla de don Rodrigo, May 2011.

<sup>168</sup> I borrow the term ‘discursive space’ from Layla Renshaw, who used this term to underpin the argument that the investigative process of the exhumations “provides a new representational or discursive space” in which to engage with the Civil War past in a politically less controversial way: Renshaw, “Scientific and Affective Identification,” 3.

<sup>169</sup> Junta de Andalucía, “Anteproyecto de Ley de Memoria Histórica Democrática de Andalucía,” accessed December 16, 2014, <http://www.juntadeandalucia.es/administracionlocalyrelacionesinstitucionales/cms/ocms/portal/MemoriaHistorica/ContenidosEspecificos/LMemDem.html>; Also see Infolibre, “Andalucía podía expropiar suelo para exhumar fosas de víctimas de Franco,” *infoLibre*, March 11, 2014. Accessed October 21, 2014. [http://www.infolibre.es/noticias/politica/2014/03/11/andalucia\\_podra\\_expropiar\\_suelo\\_para\\_exhumar\\_fosas\\_victimas\\_franco\\_14467\\_1012.html](http://www.infolibre.es/noticias/politica/2014/03/11/andalucia_podra_expropiar_suelo_para_exhumar_fosas_victimas_franco_14467_1012.html).



appropriation of the mass gravesite means a clear break with the status of secrecy, surveillance, and silence of the memory of the mass graves, as explained before.<sup>170</sup> In La Mazorra, for instance, José, one of the sons of the victims, often came to the grave to bring flowers, but in a hidden, clandestine way. Before he found support in the exhumation movement, he thought that buying the land was his only option to take care of the grave.<sup>171</sup> In Chillón, however, this meant an extra step in an ongoing process, since the families had already secured their admission to the site. The grave was marked by a monument, and the landowner respected the site: he never cultivated it and had made an entrance in the fence for relatives to visit the site on his private land. But there as well it proved very important that the ARMH emphasized upon its arrival that the mass grave site was an “open zone,” including during the exhumation. It helped to convince the families that already visited the site regularly and helped to gather more people on the site than ever before. Precisely the non-judicial character of the Spanish exhumations enables this openness: in Chillón, everyone noted the irony that, when the judge interfered, the Guardia Civil closed off the site, just as they had done seventy-two years before, when they had prohibited the families from burying their dead.<sup>172</sup>

Second, because the Spanish exhumations are conducted outside of a judicial or official framework, the exhumations are very participative. The local community is often intensely involved in the process of the exhumation. Most of the time, relatives are the ones who request the exhumation, and as the exhumation process proceeds, ever more people from the local community get involved. Rather than closing the site off, as would happen in a criminal investigation, the ARMH stresses that the gravesite belongs first and foremost to the relatives and community of the victims. The ARMH encourages villagers, and especially relatives, to visit exhumations and share memories.<sup>173</sup> The team increasingly counted on social scientists such as Jonah Rubin and me to talk to the many visitors and see these encounters as part of its work. Conversation about the exhumation also goes beyond the local level, through a conscious media strategy. From the beginning, sending out press releases was considered part of the ARMH’s “fundamental task” to “open a debate.”<sup>174</sup> The

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<sup>170</sup> Juan (ARMH volunteer and hobby archaeologist and collector of Civil War items), interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>171</sup> José (son of victim), conversation during exhumation, fieldnotes, La Mazorra, May 2011.

<sup>172</sup> Juan (ARMH volunteer), interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>173</sup> In Chillón they communicated this clearly to all families at the town meeting prior to the exhumation and during the exhumation itself (Town meeting, video-recording by Sarah Vanagt, Chillón, October 25, 2011); in Columbrianos they hung a letter on the entrance of the cemetery where the exhumation would take place to invite all people interested to visit the exhumation.

<sup>174</sup> Silva and Macías, *Las fosas de Franco*, 82.

exhumation team puts out a press release, usually when the first remains are found. In all the exhumations in this study, journalists showed up, mostly from regional but also from national and international media.

Social anthropologist Francisco Ferrándiz already pointed to the importance of the participatory character of the exhumations by telling forensic anthropologist Francisco Etxeberría that he had to work slowly and let the mass grave “breathe” more.<sup>175</sup> He referred to the fact that after some days, people start exchanging memories, and the discourse surrounding the exhumation starts to change. Visitors start to adopt the discourse of others at the site, such as the exhumation team volunteers. In Chillón, for instance, I heard the following phrase by the ARMH vice president circulating around the exhumation site: “we cannot let the victims lie where the perpetrators have chosen.” This of-repeated idea proved to be an important reason why the García granddaughters eventually gave up their opposition to the exhumation and reburial.

Third, the exhumations have also become sites to ‘give testimony’ *a pie de fosa* (at the foot of the grave). ‘Recording testimonies’ is an inherent part of the exhumation process in Spain, made possible and encouraged by many exhumation associations, expert-practitioners, and collaborating researchers. ARMH and Aranzadi especially invite relatives to come to the exhumation and share their memories. It is seen as an urgent task, given the time that has passed since the Civil War and the *posguerra* years. The ARMH has worked *ad hoc* with a literary scholar, a social anthropologist, and a historian (me), and Aranzadi has an agreement with social anthropologist Francisco Ferrándiz to collaborate with his colleagues and students who set up an interview setting *a pie de fosa*.

Rather than an act of truth-revelation, this is more an act of breaking the taboo and making private experiences public.<sup>176</sup> According to Emilio Silva, the goal of these recordings is not only to “rescue these people from oblivion” but also to “let them return publicly.”<sup>177</sup> According to him, the verb “ex-press” “also means ‘no longer be a prisoner’” or, in other words, it means sharing a memory that had been contained to oneself or one’s own family or community.<sup>178</sup> The protocol drawn up by Ferrándiz and Etxeberría for interviews in the Aranzadi exhumations includes a fiche to gather data to help identify the remains, support the forensic investigative practice, and thus create new knowledge about the past.<sup>179</sup> However, the interviews have a very important public function. They are mostly intended to transfer knowledge that had been contained for

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<sup>175</sup> Francisco Ferrándiz, Conversation on the way to the Candeleda exhumation, fieldnotes, May 18, 2010.

<sup>176</sup> Ferrándiz, “Rapid response,” 19.

<sup>177</sup> Silva and Macías, *Las fosas de Franco*, 125–126.

<sup>178</sup> Emilio Silva, Facebook post, February 3, 2012.

<sup>179</sup> Aranzadi and Francisco Ferrándiz have drawn up a fiche to fill in with all the interviewees about their disappeared relative: Sociedad de Ciencias Aranzadi / CSIC, “Registro de entrevistas a familiares,” received from Francisco Ferrándiz, CSIC, 2011.

years in private memory to society, which makes them an “unprecedented political act,” to use Ferrándiz’ words. Indeed, before the current exhumation movement, public testimonies were less evident. In an exhumation in the 1970s in Navarra, for instance, the priest helped to gather information, but under the seal of confession, which is a classic example of knowledge without acknowledgement.<sup>180</sup> Many relatives now agree to testify on camera and agree with the informed consent of Ferrándiz that stresses the public use of the testimonies.<sup>181</sup> The interviewers are, for many relatives, trustworthy interlocutors because they are from public universities, which means they will not abuse their information for private gain. Many families emphasize that they want their story “to be known,” but with mentioning their name.<sup>182</sup> I also often noted that the message and tone of the interviewees changed more towards the general public and official statements when using a camera for the interviews.<sup>183</sup>

The public character of the exhumations not only pulls the memory of the defeated out of the private sphere but also relieves it from any hints of clandestineness. In Chillón, Valentín García took the opportunity to counter the children’s comments that ‘the Nine’ must have done something wrong to deserve such an ending (see fig. 29). In Puebla de don Rodrigo, Eugenio and his brother-in-law, who had requested the exhumation in order to find the remains of Eugenio’s grandfather, indeed stated that they wanted the exhumation to be public, because “their grandfather and uncle had done nothing wrong.” He took the opportunity to emphasize that his family had been innocent; that they had ended up in *el monte* not because they wanted to fight Francoism but because of the “circumstances,” because the *maquis* had forced them to help. The more Eugenio could share his story, the more the guilt and shame bestowed upon them because they had been killed in *el monte* would be relieved.<sup>184</sup>

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<sup>180</sup> Patricia Campelo, “Navarra debate una ley de memoria que obliga a la Administración a asumir las exhumaciones,” *Público*, November 11, 2013, accessed October 21, 2014, <http://www.publico.es/politica/480949/navarra-debate-una-ley-de-memoria-que-obliga-a-la-administracion-a-asumir-las-exhumaciones>.

<sup>181</sup> Sociedad de Ciencias Aranzadi / CSIC, “Consentimiento Informado 2011,” received from Francisco Ferrándiz, CSIC, 2011. Also see: Ferrándiz, “Rapid response,” 19. Although the protocol drawn up for the interviewers is very clear about the fact that the obtained material will be available as publicly accessible “permanent archive” (12), in practice some collaborators ensured the informants that their testimony would “not appear at any site.” This was apparently to be understood as that the testimonies would not be used for financial gain. (Conversations with Francisco Ferrándiz, CSIC, Madrid, 2011; and with Helena Ferrándiz, La Mazorra, May 2011)

<sup>182</sup> José and Valentín García and their daughters in Chillón, for instance, were very happy with a German article that dealt with their family history (Verena Boos, “Die Anordnung der skelette,” *Der Freitag*, January 19, 2012); Verena Boos, conversation on the way to Chillón, fieldnotes, April 30, 2012; also see Etxeberria, lecture, Ponferrada.

<sup>183</sup> Fieldnotes, Puebla de don Rodrigo, May 28, 2011.

<sup>184</sup> Eugenio, conversation during exhumation, fieldnotes, Puebla de don Rodrigo, May 29, 2011.

All journalists, researchers, and visitors present contribute to the legitimization of the memory work that is taking place. As Ferrándiz describes, the researchers' formal institutional affiliations give an "unprecedented legitimacy" to the testimony taking.<sup>185</sup> But the watching crowd also has a function in this matter. In Puebla de don Rodrigo, the group visiting the exhumation, which took place within the walls of the cemetery, grew every day. Many people took pictures of the mass grave (see fig. 28), including *selfies* in front of the exposed remains. I heard some young girls saying *está chula* (this is cool). The exhumation had become a destination to hang out and to satisfy curiosity, which almost led to what I called temporary *fosaturismo* or 'mass grave tourism,' resembling other forms of dark tourism.<sup>186</sup> The loud crowd prompted the ARMH team to call to protect the serene atmosphere of the cemetery.<sup>187</sup> However, this group of onlookers, even if a little rowdy, was very important to legitimize the act of memory making taking place. The old resident Feliciano expressed the legitimacy factor of the watching crowd as follows: "In seventy years nobody has come to do this. And now we came, and nothing happened! How would it be if we were not here?" "Boring," a girl mocked. "No," Feliciano continued, "it would look like a crime. We have to be here to show that those guys are not committing a crime."<sup>188</sup> This meshes with what I said earlier about the meaning of violence that happens at special times or places. The fact that the exhumations happen in public and daylight is meant to place them inside the moral community, in contrast with, for instance, the removal of Franco's statue in Madrid in 2005, which was done at night, pointing to the fact that dishonouring the Caudillo is still considered as something wrong, especially in comparison to the theatrical removals and beheadings of other former dictators such as Stalin.<sup>189</sup>

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<sup>185</sup> Ferrándiz, "Rapid response," 19.

<sup>186</sup> Examples of sites of violence turning into sites of tourism, such as Auschwitz or the Cambodian killing fields, can be found in: Richard Sharpley and Philip R. Stone, eds., *The Darker Side of Travel: The Theory and Practice of Dark Tourism* (Bristol: Channel View Publications, 2009).

<sup>187</sup> Fieldnotes Puebla de don Rodrigo, May 27, 29, 2011.

<sup>188</sup> Conversation a pie de fosa between Feliciano and young girl, in Jorge Moreno (dir.), *La Cuchara*, documentary shortfilm (Shangrilafilm, 2011), min. 16.20–16.40. Online audio-visual file, accessed December 17, <https://vimeo.com/113198265>, password: los del monte.

<sup>189</sup> The memory movement attaches much importance to the fact that this statue was not removed in broad daylight. They also recount the rumor that when the entrance to the storage proved too low, the entrance was broken open rather than the statue beheaded. See Olivia Carballar, "Estamos perdiendo la batalla de la memoria," *Andaluces.es*, January 16, 2014, accessed December 16, 2014, <http://www.andalucesdiario.es/ciudadanxs/estamos-perdiendo-batalla-memoria/>.

### 4.3.2 Pedagogy

The gatherings during the exhumations are seized as didactic opportunities, and the whole exhumation campaign is believed to be an alternative educational project of raising historical consciousness. For some of the expert practitioners, pedagogic work is one of their main motivations, next to fulfilling the wish of the relatives and adding experience to their curriculum.<sup>190</sup> “Pedagogic work” and projects of “divulcation” is considered a very important part of the work by the Spanish memory movement.<sup>191</sup> According to Lourdes Herrasti, archaeologist and wife of Francisco Etxeberría, looking back at ten years of exhumations, the “didactic function” of the exhumations is the most important one.<sup>192</sup>

Many activities of the memory movement perform some sort of educational work,<sup>193</sup> but the exhumations are the ultimate “pedagogic space.”<sup>194</sup> The lectures of the expert-practitioners are often very comprehensible for a broad audience, and everyone, including young students but also older relatives, can ask questions and share their concerns. The team of the Madrid office of the ARMH designs and carries out pedagogic projects about human rights and historical memory in schools, universities, and in actions on the street. However, the exhumations and reburials offer some very specific didactic opportunities. The discipline of forensic anthropology is actually very well suited to translate historical facts to public forums, due to its function in judicial courts and truth commissions.<sup>195</sup> Indeed, one can trace some pedagogical techniques when one observes the exhumations closely.

First of all, the mass gravesites are turned into a didactic environment. An audience is attracted, and explanatory moments are organized daily at the end of the work day. The mass gravesite sometimes literally turns into an outdoor class in public history. The ARMH archaeologists invite relatives and villagers to the explanations, and they make

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<sup>190</sup> E.g., Conversation with Aranzadi volunteers on the way to the La Mazorra exhumation, fieldnotes, May 4, 2011.

<sup>191</sup> E.g.: José Ignacio Casado (ARMH Burgos) and psychologist José Guillermo Fouce (ARMH office Madrid) called for extra focus on pedagogic work (Public lectures, audio-recordings, Jornadas Protocolo y Balance, University Carlos III, Madrid, October 14, 2010); On other occasions as well, such as at the commemoration of 10 years ‘memoria histórica’ in Ponferrada (October 24, 2010) and the meeting in the ARMH office Madrid, (October 27, 2010) this was emphasized.

<sup>192</sup> Lourdes Herrasti, public speech, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.

<sup>193</sup> The ARMH, for instance, states that in fourteen years they have conducted more than 500 activities in educational and cultural centres and more than 100 projects of divulgation abroad. See ARMH, “Informe 2000–2014.”

<sup>194</sup> Statement by José Guillermo Fouce (psychologists without borders Madrid working with the ARMH), public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>195</sup> See Douglas, “Science & sight,” 217–246.

sure they are available for any questions all the time.<sup>196</sup> Families as well bring their youngest, to listen to the testimonies and explanations of the archaeologists.<sup>197</sup> Sometimes teachers visit with their students, and the exhumation associations are open for students, often international, to do a kind of internship with them.<sup>198</sup> In 2002 the ARMH organized an international field school for twelve international volunteers.<sup>199</sup> Even though not all visitors to the exhumations arrive with the intention to learn, many in the ARMH believe that the experiences during a mass grave exhumation are educational opportunities. In Puebla, when the crowd became a little too rowdy, the ARMH head archaeologist preferred visitors to stay out of the mass grave zone. Children had started to show up with their bicycles (see fig. 30), and youngsters had even brought beer. The ARMH team thought it started to look too much like a *botellón*. In addition, the limbo area was full of other human remains that he did not want people to see.<sup>200</sup> However, as long as the exhumation volunteers stayed off the beer, the team saw the visit of the youngsters as a pedagogic opportunity to “let them know history.”

Second, participating in an exhumation is believed to give a new and better understanding of a history of which many in Spain are unaware, and the expert-practitioners and volunteers are living exempla of this learning process. Emilio Silva turned himself into an exemplum when he said, at the tenth anniversary of the ARMH, that before the exhumation in Priaranza, he had never talked in public.<sup>201</sup> Expert-practitioners and volunteers often recount that they started unprepared. Before their work for the memory movement, they were not “conscious” of the suffering of the defeated, of the mass graves and disappeared; they had never learned it at school or university.<sup>202</sup> The archaeologists and forensic doctors had also not foreseen that they would meet and be able to “almost touch with the fingertips” the ones that had been the “protagonists” of that history.<sup>203</sup> They all state that the exhumations have been a truly

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<sup>196</sup> In Chillón they communicated this clearly to all families at the town meeting prior to the exhumation. René Pacheco (ARMH head archaeologist), public speech at town meeting, video recording by Sarah Vanagt, Chillón, October 25, 2011.

<sup>197</sup> Francisco Etxeberría considers this part of the symbolic part of an exhumation (lecture, Ponferrada).

<sup>198</sup> Francisco Etxeberría states that they receive so much requests of (international) students to work with them that they cannot accommodate them all (lecture, Ponferrada).

<sup>199</sup> Silva and Macías, *Las fosas*, 81–82.

<sup>200</sup> Fieldnotes, Puebla de don Rodrigo, May 27 & 29, 2011.

<sup>201</sup> Emilio Silva, public speech, fieldnotes, 10 years ARMH, Ponferrada, October 24, 2010.

<sup>202</sup> ARMH archaeological assistant Nuria Maqueda, interview during exhumation, video-recording by Sarah Vanagt, Chillón, November 3, 2011; Lourdes Herrasti, public speech, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.

<sup>203</sup> Etxeberría, lecture, Ponferrada.

“enriching” “learning process” for them.<sup>204</sup> Participating in an exhumation is considered a life-changing learning experience. ARMH volunteers relate how many of their own family let go their mistrust of the memory movement after attending an exhumation,<sup>205</sup> and observers of the memory movement who participate in the exhumations are trusted better to represent what it is about.<sup>206</sup> Part of the learning process, according to Emilio Silva, is also that over the years since the first exhumation, the public has learned that the exhumations do not lead to conflict or, worse, a new Civil War.<sup>207</sup> Lourdes Herrasti, who is also a teacher, pays special attention to the didactic effect of exhumations on young people. She says it moves them and makes them conscious of their history.<sup>208</sup> In her words,

there is nothing more eloquent than a mass grave. There is nothing more uncloaked than a mass grave. [ ... ] When one opens a mass grave, ... we found many stories that are impossible to recount every one of them. [ ... ] Those are the stories that our students and children should know.<sup>209</sup>

Lastly, forensic anthropology is a ‘science of sight,’ for which seeing is equal to knowing. Therefore it serves very well to translate the information gathered in the exhumation to the public with visual tools are used to.<sup>210</sup> During the Spanish exhumations, the images of the corpses indeed function as a powerful visual pedagogic aid. During the daily explanations, the archaeologist uses the exposed bodies and other objects found in the grave as teaching tools to clarify what information can be deduced from the grave. When the bones are seriously deteriorated, as in Puebla de don Rodrigo or Chillón, he points to certain body parts, signs of crimes such as handcuffs or bullet holes in skulls, and impersonates with his own body how the corpses are situated in the grave. At the same time, the locals and relatives bring photos of the disappeared (see fig. 40) and give clues to situate or identify the found remains and objects, such as shoes,

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<sup>204</sup> E.g., ARMH Archaeologist Nuria Maqueda, interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011; Etxeberria, lecture, Ponferrada.

<sup>205</sup> Interviews with ARMH volunteers during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>206</sup> To accompany the exposition in Brussels in May 2013, they for instance wanted me to liaise with Foro Belgium, in order to have someone in the organization that had actually been to an exhumation, and they also preferred the documentary “Santa Cruz por ejemplo” over “Los Caminos de la memoria” because, according to them, the latter showed more “lo de Madrid” and less “the reality of the villages.” Conversation with ARMH team, Brussels, May 1, 2013.

<sup>207</sup> Silva, email-interview.

<sup>208</sup> Lourdes Herrasti, public lecture, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.

<sup>209</sup> Herrasti, lecture, Ponferrada.

<sup>210</sup> For a study of the role of the visual in the evidentiary regimes of forensic science, see Lee Elizabeth Douglas, “Science & Sight.”

religious symbols, wedding rings, jackets, etc. Occasionally, as was the case during the ARMH exhumation of el Cesterín, who was buried individually, forensic anthropologists re-assemble skeletons *in situ* (see fig. 31).

All the bones are exposed until the last day, when they are collected together, which gives enough time for most visitors to see the exposed skeletons (see fig. 32). In Puebla de don Rodrigo, head archaeologist René Pacheco even said he had worked a bit faster so that Eugenio would see the exposed remains on the weekend he would come to Puebla.<sup>211</sup> When the grave is emptied, Aranzadi sometimes performs a re-enactment of the killing, the falling and lying of the victims in the grave (see fig. 33).<sup>212</sup> The reasons for the re-enactments are diverse. According to Etxeberria and some Aranzadi volunteers, the pile of exposed skeletons is difficult to comprehend and can also seem “aseptic,” and therefore taking on the posture of the victims in the grave “humanizes” the skeletons. Etxeberria states that the exhumation team thereby “turn the dead into living beings” with “*vigencia*” (force) “in the present”<sup>213</sup> Etxeberria states that, if a particular family is “ready” for this, it can help them psychologically.<sup>214</sup> An ARMH volunteer psychologist, in contrast, understood this practice in the tradition of forensic reconstructions of the crime, for investigative and instructive reasons, and was critical about the potential psychological impact of this on the relatives. In any case, it leaves an immense impression on the relatives, and on the volunteers, who for that reason not always enjoy carrying out the re-enactments.<sup>215</sup>

Images of mass graves circulate far beyond the exhumation site.<sup>216</sup> During reburials, the exhumation process is explained from start to finish with PowerPoint presentations of diagrams of mass grave remains. During explanatory lectures and meetings, such as the town meeting in Chillón that preceded the exhumation, photos of previous exhumations are used as visual tools and exempla. Since not everyone can come to exhumations, the memory movement uses, as mentioned before, a very realistic ‘life-size’ picture of an exposed grave to display on squares, streets, and in museums (see fig. 6).

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<sup>211</sup> The ARMH head archaeologist and volunteer psychologist also explained that the days before any remains appear in an exhumation are very tense for relatives, so they sometimes advise relatives to wait to visit the exhumation until the remains are found.

<sup>212</sup> See, for instance, Julián López García and Francisco Ferrándiz, eds., *Fontanosas, 1941-2006: Memoria de carne y hueso* (Ciudad Real: Imprenta Provincial, 2010), 400.

<sup>213</sup> Etxeberria, lecture, Ponferrada; Conversation with Aranzadi volunteers on the way to La Mazorra, fieldnotes, May 4, 2011.

<sup>214</sup> Francisco Etxeberria, interview after reburial, audio-recording, Valdenoceda, April 16, 2011.

<sup>215</sup> Conversation with Aranzadi volunteers on the way to La Mazorra, fieldnotes, May 4, 2011.

<sup>216</sup> Renshaw, *Exhuming Loss*, 183.



The memory movement attaches pedagogic capacities to the image of an exposed grave (see fig. 34). The ARMH calls “every body that is recovered of a mass grave” a “teacher that gives a lesson in history.”<sup>217</sup> The use of the visual power of exposed mass graves is a choice for maximum dissemination of the memory movement’s message in the public sphere.<sup>218</sup> Many are indeed deeply impressed when confronted with the remains’ images.

In short, the exhumation movement has almost literally taken history out of the auditoriums into the streets and fields. The exhumations and reburials are seen as alternative learning environments with great “political and emotional potential”<sup>219</sup> that, according to many memory activists, makes up for the ‘heroes’ history’ written by academic historians. The exhumation movement claims to retrieve a history that is more “real,” the history of the anonymous, the forgotten, who have left no trace in the history textbooks.<sup>220</sup>

### 4.3.3 Connecting the local, the national, and the international

Another aspect of the Spanish exhumations that fosters a broad acknowledgement of the suffering of the defeated is that the exhumation teams, contrary to many top-down transitional justice or public history projects, travel beyond the capital to the most remote, rural villages. This way, the exhumations function as mobile seminars in public history, reminiscent of the mobile cinemas of the Second Republic in Spain that also used visual exposure as a mobile teaching technique.<sup>221</sup>

Through the exhumations, people from local, national, and international levels are linked and start to cross those levels. Travelling from pit to pit, the national pool of volunteers, activists, and supporters of the memory associations is the intermediate meso-level that connects the micro-level of the villages, on the one hand, with the macro-level of an international network of memory, on the other. Foro for instance, as a

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<sup>217</sup> ARMH, Facebook post, November 9, 2014; This is reminiscent of the use of images of exposed remains in propaganda for the Republican cause, especially an illustration by the artist Castelao of an exposed broken body, entitled “The last lesson of the schoolteacher.” See Renshaw Renshaw, *Exhuming Loss*, 138.

<sup>218</sup> Also see Renshaw, “The Iconography of Exhumation,” 245.

<sup>219</sup> Francisco Ferrándiz, public lecture, audio-recording, Jornadas Protocolo y Balance, University Carlos III, Madrid, October 14, 2010.

<sup>220</sup> When Alejandro Rodríguez, the historian volunteering for the ARMH, in 2014 showed a group of American students around in the ARMH laboratory, he called it a “history class that does not appear in textbooks.” Armh Memoria Histórica, Facebook post, June 6, 2014, accessed June 14, 2014.

<sup>221</sup> See García Alonso, María. “Intuiciones visuales para pueblos olvidados. La utilización del cine en las Misiones Pedagógicas de la Segunda República Española,” *Cahiers de civilization espagnole contemporaine* 11 (2013).

section of the national communist party, often brings tens of activists from Madrid or other sections to support exhumations, reburials, or protests in the villages. In general, by going to the local communities, the memory associations reach many more people than do Madrid-based institutions such as the state *Oficina para las Víctimas del Franquismo*.<sup>222</sup> According to the ARMH, many victims and relatives of the missing do not feel comfortable in that office: travelling to Madrid is already a huge step, and then they are hastily received at an open counter. In their own context, many victims' relatives feel more readily at ease. During exhumations I often noted how victim's relatives at first talk a lot about the environment of the grave, the soil, the historical changes in the landscape, and use of the land. Talking about their own environment helps to calm their nerves before they start sharing their memories in public.

The associations, for their part, are connected both with the meso-level of the memory movement as a whole and with activities in Madrid. For many volunteers, mostly young and urban people, the Francoist repression in the countryside was far away not only in time but also in space: for many of them, rural Spain, inhabited by old people, was a world away that suddenly opened up with all its stories.<sup>223</sup> Now they bring these stories to the urban public of Madrid, with seminars, expositions, etc.

The Spanish memory movement also campaigns outside of Spain. Foro has sections abroad including in Brussels, and in 2002 Emilio Silva personally drove to Geneva to present the case of the Spanish disappeared for the UN Working Group on Enforced or Involuntary Disappearances.<sup>224</sup> Since then this UN institution has paid Spain several visits. In 2013 the ARMH, Aranzadi, and the Belgian Foro organized in Brussels an exposition about the exhumations and brought Spanish victims' relatives and activists with them.

In the opposite direction, the Spanish memory movement regularly receives visitors from other countries and international organizations. Amnesty International published reports on the fate of the victims of Francoism in 2005 and 2006. Argentinean activists, lawyers, and *Madres* and *Abuelas* of the *Plaza de Mayo* frequently visit Spain to show their solidarity, on the *Rondas de Sol*, for example, or the manifestation to support Garzón, or as part of the judicial investigations against Francoism initiated in their country. Victims' families who fled to Argentina after the Civil War come back now to search for

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<sup>222</sup> Fieldnotes, Oficina ARMH Madrid, October 27, 2010. The state office was established as implementation of the 2007 Law of Historic Memory and was shut down in 2012 when the Partido Popular cut all subsidies for memory projects after gaining power. See Alejandro Torrés, "La ONU visita España para investigar las "desapariciones forzadas" del franquismo," *Público*, September 17, 2013, accessed October 24, 2014, <http://www.publico.es/politica/468938/la-onu-visita-espana-para-investigar-las-desapariciones-forzadas-del-franquismo>.

<sup>223</sup> Conversation with Aranzadi volunteer Jacob, fieldnotes, Manchester, September 8, 2014.

<sup>224</sup> Silva and Macías, *Las fosas*, 105.

their missing relatives. When in 2011 the Argentinean Ariana Fernández came to Spain to find the body of her grandfather, El Cesterín, she brought concepts familiar in Argentinean debates, such as “state terror,” into the local community during the exhumation. On her return she joined the judicial indictment against Francoism in Argentina.<sup>225</sup> About a 130 of the 1224 ARMH volunteers come from abroad.<sup>226</sup> The most famous one is the Japanese Toru Arakawaman, who at the age of sixty-eight travelled from Japan to Spain and suddenly showed up to volunteer for the ARMH.<sup>227</sup> And in Chillón, Holocaust survivor Harry Natowitz came to attend the reburial, to show his support to the ARMH and discuss a donation he wanted to give them.

#### 4.3.4 Reconfiguring space through the dead

The exhumations and reburials also break or undo the prohibition on public commemoration and mourning of the *vencidos*, by reconfiguring the space of the dead: where they are buried, in which soil, what postures, etc. Spatial analysis of exhumations and reburials can reveal powerful references to, and reversals of, the exclusion of the republican dead – and their living communities – from the public sphere.<sup>228</sup> By moving around with the bodies, part of the symbolic violence inflicted on the republicans is undone. In this section I return to the meaning of mass graves as symbolic violence and interpret the exhumations as a restoration of the honour, or in the words of the Spanish memory movement, ‘dignity’ of the republican victims. I return to Anton Blok’s argument of how every mass already holds its black mass, but I turn it around. Because indeed, as Blok also explains, “both the violation and the vindication of honour are often represented in the idiom of the human body.” I therefore interpret the exhumations as a modern ritual to reverse the symbolic violence inflicted on the dead, vindicate their honour, and exorcize Francoism. If, according to Blok, the effect of violence depends on its symbolic form, the reversal of those symbolic effectively undoes part of the effect of the violence.<sup>229</sup> In the first place, the Spanish exhumations and reburials re-enter the dead in public space. Second, they repair the symbolic violence inflicted on the dead and thereby integrate them back into the nation. And lastly, they

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<sup>225</sup> Ariana Fernández, Facebook post, October 10, 2014.

<sup>226</sup> ARMH, “Informe 2000–2014,” 7.

<sup>227</sup> In 2009, the ARMH recieved the news that he had died. The ARMH frequently mentions and honors his memory (for instance at the homage in Ponferrada during the celebration of 10 years ‘historical memory,’ October 23, 2010), as he was a very valuable member of the team.

<sup>228</sup> Renshaw, *Exhuming Loss*, 222.

<sup>229</sup> Blok, “Senseless Violence,” 34.

succeed in doing so because they work with figures of authority in the realm of the modern dead, namely, forensic doctors and other scientists.

First, the republican dead, and by extension their relatives, are re-entered into the public sphere by occupying public space for the victims and their descendants. After making the mass gravesite a temporary public space, the people involved in the exhumation further claim public space during the reburial ceremony. Reburials usually loosely follow the structure of other Spanish funeral ceremonies: with a ceremony, a funeral procession to the new tomb, flowers, meditation, and a dinner.<sup>230</sup> The ARMH and Aranzadi prefer the reburials to be collective, open, and civic and stress their importance for “public recognition.”<sup>231</sup> People take photos, journalists cover the ceremony, and for the memory associations it is an opportunity to share their vision, similar to the function of ceremonies around important life rituals for the Church. The organizers of the reburial usually obtain a public space such as the town hall or cultural centre for the ceremony. When in Poyales de Hoyo the mayor (PP) was initially reluctant to free up a room, Santiago Macías retorted they would do it “in open air,” if needed.<sup>232</sup> During the ceremony, the dead are centre stage. In Chillón this was achieved materially, with the bodies carried by the families; visually, with the boxes holding the remains wrapped in red cloth and with portraits of ‘the Nine’ attached; and spiritually, with Julia García calling their names out loud followed by a strong “*presente*.”

The ceremony is followed by a procession, in which mostly relatives carry the boxes or coffins, followed by a massive column of people progressing through the village centre to the town cemetery. In Chillón, many of the relatives carrying the boxes looked proud and happy, as if they felt that the town was theirs for a day (see fig. 35). In Abenojar, another village in Ciudad Real, organizers of the reburial decided to walk with the coffins through the Calle Mayor and stop for a minute of silence at the town hall, the site where the four victims had been executed.<sup>233</sup> This way they re-enacted the route that the victims had taken seven decades before. As Renshaw already suggested, these

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<sup>230</sup> This situates them in line with most commemorations of war dead in Western Europe since the end of the nineteenth century. See Capdevila and Voldman, *War Dead*, 162.

<sup>231</sup> ARMH, “Informe 2000–2014;” Fieldnotes, reburials Poyales del Hoyo and Las Ventas de San Julián, March 19, 2011; Santiago Macías, speech, fieldnotes, Asamblea General ARMH, Madrid, March 20, 2011; Lola Morán, “Las Ventas de San Julián despide a siete vecinos fusilados en 1936,” *La Tribuna de Talavera*, March 20, 2011, accessed December 16, 2014, <http://www.latribunadetalavera.es/noticia.cfm/Local/20110320/ventas/san/julian/despide/siete/vecinos/fusilados/1936/1A7A3BE3-0A8F-4E0E-999E6170569C5FFB>; Conversation with Jacob, Aranzadi volunteer, Manchester, September 8, 2014.

<sup>232</sup> Conversation with Santiago Macías (then vice-president ARMH), fieldnotes, Poyales del Hoyo, March 19, 2011.

<sup>233</sup> Elena Cabrera, “Siete nombres, cuatro cuerpos,” *eldiario.es*, May 5, 2014, accessed October 23, 2014, [http://www.eldiario.es/sociedad/nombres-cuerpos\\_0\\_256524613.html](http://www.eldiario.es/sociedad/nombres-cuerpos_0_256524613.html).

processions – or “parades” as Giles Tremlett coined a reburial procession in Candeleda, by which he emphasized the pride and display in it – can be interpreted as a reversal of the marginalization to which Republicans were subjected in the villages.<sup>234</sup> She even goes as far as to say that they are a reversal of the humiliating procession of Republican women through town, something that happened, for instance, to some of the wives and sisters of ‘the Nine’ in Chillón.

The procession ends in the town cemetery, a site that for a long time had been secluded for the victims of extrajudicial killings and their mourners. Following the connection that Verdery draws between kinship, soil, burial, and community building, reburying their dead in the soil of the hometown carries the meaning that their dead and they themselves belong there too.<sup>235</sup> In Oropesa and Candeleda, where the victims had been buried outside of their villages of residence, it was stressed that the victims returned “home,” united with their wives, children, and fellow-villagers.<sup>236</sup> In Oropesa, ironically, they were also buried across from the people accused of denouncing them, someone said to me in a slightly victorious tone.<sup>237</sup> For some in Chillón, like the family of the youngest of ‘the Nine,’ the reburial was the first time they came to that cemetery. It was a symbolic return to the original town from where their family had been forced to move after the killings.<sup>238</sup> ‘The Nine’ in Chillón were, to the satisfaction of both the ARMH and the relatives, buried in a big, joint pantheon right next to the entrance: very visible and on the way of everyone entering the cemetery. It was a victory on many accounts. In this village, many anecdotes point to symbolic battles about power over the dead: many left-wing men never enter church, not even for funerals; according to some informants, women were not allowed in the cemetery during burials until the 1970s; and when the widow of Pablo Madrid, one of ‘the Nine,’ died, some relatives tore the cross from the coffin, and her niece Laura snuck into the cemetery to follow the burial. But on that first day of May during the reburial of ‘the Nine,’ their dead were centre stage.

Second, the reburials lift the shame of these dead and acknowledge them as ‘normal dead’ and Spanish citizens, by giving them a ‘proper burial.’ The dead are moved from a mass or individual grave in a *cuneta*, the cemetery’s limbo, the cellar of a house, or anywhere the killers had left the bodies piled up, chained or faced down, to a well-tended niche as in Oropesa, a tomb as in Poyales del Hoyo, or a pantheon as in Chillón. This is intended to undo and repair the symbolic violence inflicted on them and give back the humanity that Francoism wanted to deprive them of.

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<sup>234</sup> Tremlett, *Ghosts of Spain*, 12; Renshaw, *Exhuming Loss*, 221–222, 235.

<sup>235</sup> Verdery, *Political Lives*, 104–106.

<sup>236</sup> “En este caso, siete víctimas de este pueblo vuelven a su casa,” ARMH vice-president Santiago Macías stated in the reburial ceremony: Audio-recordings, escuelas antiguas, Poyales del Hoyo, March 19, 2011.

<sup>237</sup> Conversations with Natalia (victim’s relative) at reburial, fieldnotes, Las Ventas de Julián, March 19, 2011.

<sup>238</sup> Conversation with Amparo (niece of one of ‘the nine’), fieldnotes, reburial Chillón, May 1, 2012.

The need to give the missing an *entierro digno* is a wish of many relatives and activists and is also a part of the exhumation campaign that is more respected by right-wing Spain.<sup>239</sup> It is an older need that is met with new means, namely, forensic science. It is the humanitarian aim that all forensic exhumations worldwide now endorse, but it was also the motivation for many old exhumations, that were carried out unscientifically and often silently since the start of the Civil War. Some relatives succeeded to fulfil this wish, like the woman in Abenojar who exhumed her husband with the help of the town grave digger, or the relatives in Navarra, La Rioja, and Extremadura who joined forces to exhume their loved ones collectively. Others, like José in La Mazorra, stated that he had always wanted to get his father out of the *cuneta* but had never had the means.

The ARMH exhumation team feels as if they undo some of the violence inflicted on the victims. The expert-practitioners and volunteers describe an exhumation as “normalizing” a situation,<sup>240</sup> or restoring something “logical” or “natural.”<sup>241</sup> Francisco Etxeberria keeps a stone from every mass grave he exhumes, because “that stone did not come there naturally,” and with this action he tries to “remove” the concealment of the crime.<sup>242</sup> A volunteer for the ARMH in Puebla de don Rodrigo said that “every time I lift a stone, I think of the fact that the murderers have put it there, and that we take it away” (even if in her case, in Puebla de don Rodrigo, locals were ordered to transport and the bodies to the burial site).<sup>243</sup> During the town meeting in Chillón that preceded the exhumation, ARMH archaeologist René asked if they really wanted to leave “those nine persons” at the “spot that the murderers had chosen,”<sup>244</sup> a thought that made the Garcías give up their protest against the exhumation.

The ‘proper burial’ is a clear message to society as a whole. The memory movement says that the reburials give “public dignity” to victims who “never lost their dignity in their own circle”<sup>245</sup> or “recover a dignity they never lost” (*recuperar dignidades que nunca perdieron*).<sup>246</sup> As Katherine Verdery argues, reburying people enables a reassessment of

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<sup>239</sup> E.g., the story of how ARMH assistant archaeologist Nuria Maqueda convinced her family of the exhumation campaign: interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>240</sup> See for instance, Santiago Macías, cited in Morán, “siete vecinos fusilados.”

<sup>241</sup> Alejandro Rodríguez (ARMH volunteer and historian), interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>242</sup> Etxeberria, interview, Valdenoceda.

<sup>243</sup> ARMH volunteer Helena, conversation during exhumation, fieldnotes, Puebla de don Rodrigo, May 2011.

<sup>244</sup> René Pacheco (Head archaeologist ARMH), public speech at town meeting, video-recording by Sarah Vanagt, Chillón, October 25, 2011.

<sup>245</sup> Alejandro Rodríguez (ARMH volunteer and historian), interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>246</sup> Francisco Etxeberria, public lecture, audio-recording, 10 years Recuperando Memoria, Ponferrada, October 24, 2010; Armh Memoria Histórica, Facebook post, October 6, 2014.

their place in history and an acknowledgement of them as honoured forebears.<sup>247</sup> Indeed, in many cultures, the dead can only be appropriated as ancestors if they had a “good death.”<sup>248</sup> This counts at the familial level, allowing descendants to lift the shame and show pride about their origins, as was the case for a descendant of Pablo Madrid who wore his ring with his initials during the exhumation and reburial (see fig. 35). A burial sanctioned by the community reintegrates them into the Spanish nation from which Francoism wanted to evict them. “After all, they were Spaniards too,” is how ARMH vice-president Santiago Macías summarized it during the reburial in Poyales del Hoyo.

Lastly, although it might seem as if the scientific aspect of the exhumations has nothing to do with this symbolic reconfiguration of the dead, it is in fact crucial for it. The fact that scientists such as forensic doctors and archaeologists handle the remains, according to judicial protocols, can be understood as the manifestation of new rules and procedures to achieve the older need to bury the dead. More concretely, in the framework of symbolic violence, it can be interpreted as new procedures to avoid pollution, the same pollution that the killers tried to avoid by ritualizing the violence. The fear of contamination when crossing the boundaries between life and death refers the handling of human remains cross-culturally to certain authorized persons, such as priests or doctors in modern Western culture. As Philippe Ariès stated, the fear of death has crept back “under the mask of medical technology.”<sup>249</sup> Indeed in Spain, the forensic anthropology teams are the new authorities when dealing with violent death of the Civil War. In any case, doctors, like forensic doctor Francisco Etxeberria, are figures of authority in Spain, and good replacements for priests, who many in the republican memory movement do not accept as authorities.

Some of the exhumation rules, such as strict chains of custody and the preservation in numbered plastic boxes for potential further research on the remains, can be read as a sign of professionalization or judicialization of memory, as I argued in Chapter 3, or of the medicalization of death, as Ariès would argue.<sup>250</sup> But other rules of conduct have the effect of giving permission to the team to deal with the dead. For instance, volunteers are not allowed to smoke while working, should always wear a shirt no matter how warm it is, and should focus any communication about their work in press and any

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<sup>247</sup> Verdery, *Political Lives*, 105–108.

<sup>248</sup> Henoik Kwon, *After the Massacre: Commemoration and consolation in Ha My and My Lai* (Berkeley: University of California Press, 2006), 12.

<sup>249</sup> Philippe Ariès, “The Hour of Our Death,” in *Death, Mourning, and Burial: A Cross-Cultural Reader*, ed. Antonius C.G.M. Robben (Malden: Blackwell Publishing, 2004), 47.

<sup>250</sup> Robben, “Death and Anthropology,” 4.

images on the detailed work with brushes rather than on the work with the excavator,<sup>251</sup> to show that they do more than brutally break open a grave, and that not everyone can exhume.

I think that the exhumations follow certain rules and protocols for the same reason that violence is often ritualized, namely, in order to avoid pollution when crossing boundaries between life and death. Since crossing the boundary between life and death is believed to have a ‘purifying’ effect, and honour can only be vindicated with blood,<sup>252</sup> the exhumation teams actually cross this same boundary to restore the honour of the victims, albeit without blood involved. Working with the dead and exposing their bodies can quickly appear prurient, obscene, or an “exploitation” or “consummation of horror,”<sup>253</sup> as can be seen from opposition to the exhumations that is framed in terms of “necrophilia,” *robar cuerpos*, or “the bones are good to cook a broth.” The rules of conduct of the exhumation teams can be interpreted as ways to differentiate between their ‘use’ of the bodies and the use of bodies in the ritualized violence of the Civil War, when bodies were exhumed (by republicans, in the case of the nuns and monks) and displayed to inspire fear.

This professionalization and medicalization of the Spanish exhumations is rather recent. While in the 1970s, relatives in Navarra held the skulls in their hands to see if they recognized some facial characteristics, the forensic anthropologist now lays out the skeleton on his white table to measure it piece by piece. While some of the meanings and aims of the exhumations are still the same, the procedures have changed and are sometimes met with incomprehension, as in Oropesa, where some relatives questioned the need to analyze the remains in a laboratory before they could rebury them. However, with much opposition to the exhumation, the authority of the scientists is of utmost importance. In the beginning of an exhumation, villagers are sometimes

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<sup>251</sup> When I was asked to send photos of the exhumations to the press in Chillón, for instance, I had to pick images with the team on it, preferably wearing an ARMH pullover and working not with the excavator but with their hands.

<sup>252</sup> See Anton Blok, “Senseless Violence,” 30, 34.

<sup>253</sup> In Spain, a famous communiqué of the Asociación Archivo Guerra y Exilio (AGE) as well accused the exhumations of “a ‘televising pathetics,’ fostering the ‘sentimental’ manipulation of pain, opposing the ‘dignity’ with which the suffering of the defeated should be met.” In Francisco Ferrándiz, “Exhumaciones y políticas de la memoria en la España contemporánea,” *Hispania Nova* 7 (2007), s.p; In general, Zoë Crossland points to the potential prurience of forensic reports, that has restrained mainstream archaeology from addressing the topic. See Zoë Crossland, “Buried lives: Forensic Archaeology and the disappeared in Argentina,” *Archaeological Dialogues* 72 (2000): 115. In Argentina, the Madres of the Plaza de Mayo criticized the search for the remains of the *desaparecidos* of being a “horror show.” See Bevernage, *Time and Justice*, 34.



suspicious, but the precision, meticulousness, and respect with which the ARMH volunteers handle the remains often cause the distrust to disappear.<sup>254</sup>

#### 4.3.5 From *lieu* to *milieu de mémoire*

“*Todo este caos el ordenará el amor*”  
 (“All this chaos will be solved by love.”) (Emilio Silva)<sup>255</sup>

“Just outside of the cemetery of Columbrianos, a road passes on its way to an empty, apocryphal, tomb. This does not impede that thousands of pilgrims take that road to Santiago and ‘remember.’ Memory is not contained in bones, nor in mass graves, but in the community of people like you, that take small steps, day by day, in the never-ending road to dignity, equality, and justice.”<sup>256</sup>

The exhumation movement unites many different actors into a new, inclusive and interconnected *milieu de mémoire* or ‘environment of memory.’ The impact of this network is not to be underestimated, in light of the privatization of memory that undermined the social basis for memories. Layla Renshaw already pointed to the capacity of the exhumations and reburials to forge new networks of Republican families, something she saw as very empowering.<sup>257</sup> I here use Pierre Nora’s concepts of *milieu* and *lieu de mémoire* to get a better understanding of the relation between this network forming and the ‘site of memory’ of the mass graves.

The new *milieu de mémoire* or ‘network of memory’ of the exhumation movement is very comprehensive: it is formed by people as diverse as volunteers of different backgrounds, journalists, victims’ relatives of different generations, villagers, local politicians, landowners, and sometimes activists and victims from other countries. Academics as well are involved in the network and are invited to contribute to the movement.<sup>258</sup> It surpasses the traditional networks of political parties, unions, and other

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<sup>254</sup> This was the case in Chillón, for instance in the case of the niece of the youngest of ‘the Nine’ (Angela and Amparo, interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, October 29, 2011.)

<sup>255</sup> Just before a big homage in the theater in Ponferrada, the organization seemed to go haywire, and this is how Silva smiled the stress away (fieldnotes, Ponferrada, October 23, 2010).

<sup>256</sup> James Fernández (New York professor in Spanish and Portuguese and ARMH supporter), in a reaction to the failed exhumation in Columbrianos, facebook post, June 2011.

<sup>257</sup> Renshaw, *Exhuming Loss*, 235.

<sup>258</sup> I myself was for instance invited to the ARMH office in Madrid together with other new researchers in the field, where it was discussed how we could collaborate (Fieldnotes, ARMH office Madrid, October 27, 2010). The

organizations that were often the main institutions dealing with republican memory after the transition.<sup>259</sup> This way the cause of the *memoria histórica* attracts many people who were in search of civic engagement but had no ties with left-wing political organizations, as is the case for many young volunteers of a generation that was estranged from political participation, and for many relatives.<sup>260</sup> As a sympathizer of the conservative *Partido Popular*, Eugenio would shy away from more explicit political engagements with the Civil War past, but through his family story and his wish for a decent burial for all dead in *cunetas*, he found a way to connect with locals and activists about a part of the history of Francoist repression. Like for many victims' relatives in Spain, the exhumation was the first occasion where he talked in public about his family history. Indeed, public history is not only about how the message is translated to the public but also about how this public or community is formed. The exhumations literally create the interlocutors to listen to the silenced stories of the *vencidos*.

The ARMH is quite successful in including local communities and new volunteers in its social movement. Here as well, the exhumations and reburials are crucial moments of uniting, connecting, and mobilizing people in this network. With every exhumation, the network of the memory associations grows with new relatives, local activists, researchers, volunteers, etc. The crowd surrounding an exhumation grows day by day and gets even larger on weekends. Many exhumations are carried out during summer holidays because the volunteers have free time then. Furthermore, this is when many people who went to live in the cities or the industrial north in the immigration wave of the 1960s come back to visit “their village.”<sup>261</sup> This way, new generations or family members who migrated become reintegrated into the circle of relatives involved in the memory of the repression. In Chillón and Puebla, people got to know each other's stories in an atmosphere that became more relaxed every day: after some days, the Garcías brought cake, the hair dressers chorizo and wine. In Chillón, many of the

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exhumation movement has triggered many academic projects, such as the interdisciplinary project *Las Políticas de la Memoria* of Francisco Ferrándiz (<http://politicasdela memoria.org/>), the interdisciplinary project of young scholars that I co-founded, *Memorias en Red* (<http://memoriasenred.es/>), and the *Catedra de Memoria Histórica* at the Universidad Complutense Madrid (<http://pendientedemigracion.ucm.es/info/memorias/index.html>).

<sup>259</sup> In Chillón, next to many relatives, the local socialist party was the institution behind the monument, built in the 1980s, and the commemorations on May 1 that continued until the exhumation in 2011. In general, many of the exhumations that were carried out just after the first democratic elections in 1977 were organized by local political parties and their network of organizations.

<sup>260</sup> As I mentioned in Chapter 3, political participation of the Spanish youth has long been behind, something political scientists like Ariel Jerez trace back to the lack of a rupture with Francoism during the transition. See Ariel Jerez (political scientist and ARMH collaborator), public lecture, audio-recording, *Jornadas Protocolo y Balance*, Universidad Carlos III, October 14, 2010.

<sup>261</sup> Many Spaniards still say “their village” when referring to a village that their families left generations ago.

younger relatives of ‘the Nine’ were surprised to see each other at the exhumation site because they did sometimes not know who of their own generation was related to ‘the Nine.’ The generation of the great-grandchildren of ‘the Nine,’ that is, the grandson of Ignacio García who took his grandfather to ‘El Contadero’ and supported him as he descended into the pit, became actively involved in their family history. Eugenio in Puebla de don Rodrigo mentioned the “conviviality” he had with other families as one of the enriching factors. Through Eugenio, who had come from Valencia to attend the exhumation, the villagers had gotten to know the family history of their famous Manco de Agudo. For some relatives, the exhumations are the beginning of continuous friendships and engagement in the memory movement. They keep in touch with the network through social media, New Years phone calls, ARMH activities, etc.

The exhumation is often only the start of the formation of the network. In Puebla de don Rodrigo, a symposium was organized during the ‘*Semana Cultural*,’ a period when many families gather in the village, with presentations by a local amateur historian about the fight between Francoist forces and *los de la sierra* around Puebla and my own presentation about the exhumation movement. We also screened a version of ‘La Cuchara,’ the documentary Jorge Moreno and I made about the exhumation that focused more on Eugenio’s testimony of the family history of El Manco. These events reached many new people who had not attended the exhumation because they had distrusted it for ideological reasons or simply had not in town.

The culmination and certainly the most visible manifestation of the renewed *milieu de mémoire* is the reburial. This is not surprising; based on the recognition of a homology between the communities of living and dead, pioneer sociologists and anthropologists such as Emile Durkheim and Robert Hertz already attributed social functions to mortuary rituals.<sup>262</sup> As Hertz argued, (re)burials reorder living communities and “reaffirm the political community of those who orient to them” by playing with inclusion and exclusion of the dead and their mourning community.<sup>263</sup> Durkheim saw mourning rituals as expressions of “loss for a social collectivity under threat,” and as helping to draw people closer together and restoring the cohesion of a weakened social group.<sup>264</sup> Philippe Ariès, although writing about pre-modern reactions to death, demonstrated how funerals were a way to pass the ordeal that death means to the community and help to recover the strength and unity with ceremonies, the last of

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<sup>262</sup> Verdery, *Political Lives*, 108.

<sup>263</sup> Robert Hertz, cited in Verdery, *Political Lives*, 108–109.

<sup>264</sup> Emile Durkheim, cited in Antonius C. G. M. Robben, “Death and Anthropology: An Introduction,” in *Death, Mourning, and Burial. A Cross-Cultural Reader*, ed. Antonius C. G. M. Robben (Malden, Oxford & Carlton: Blackwell Publishing, 2004), 7–8.

which always was a rather joyous one.<sup>265</sup> More specifically for post-conflict settings, Verdery's work has shown that reburying bodies plays a role in the constitution of political communities, uniting the community around its newly inscribed ancestors.<sup>266</sup> After violent death, directed towards the whole community, funerals help to recover and empower the community, 'united in grief' from the heavy blow they had received. This is also why, in Western Europe, societies' response to the violent death of civilians has often taken the form of public funerals, even if there were no bodies to bury.<sup>267</sup>

Although more recent trends of individualized death and death's medicalization are clearly not extraneous to the current exhumations in Spain, these social aspects prevail in the reburials. The ceremonies are charged with emotion. In Chillón, hundreds of people gathered in the town hall, and when they arrived at the cemetery the crowd was even too big to enter. Fellow-villagers, state representatives, members of the exhumation team, supporters from other towns, and in Chillón even from Germany in the person of Harry Natowitz, all mobilized to come, and the press broadcast the ceremony far beyond the village. The ARMH was moved by the size of the gathering. One of the relatives, the local cobbler, explained the big crowd as a sign of the sense of community and solidarity of the village. Reburials are a clear manifestation of the unity and pride, often for the first time, of the community of the descendants of the *vencidos*. As the ARMH vice-president mentioned in the Chillón reburial, all relatives and neighbours of 'the Nine' were now considered part of the "big family that is the ARMH."<sup>268</sup> At the end of the reburials, the new commemorative environment is secured with the new tomb in the town cemetery and is sometimes celebrated with a *comida de fraternización* or communal dinner.

The volunteers are important actors in the building of this community around the mass graves. The 1,224 ARMH volunteers are called the "human capital" of the memory movement that makes up for the lack in resources.<sup>269</sup> The exhumation is for most of them the place where their commitment took off, and it is also the site to which they draw other people, as they invite their family to visit them during work.<sup>270</sup> Volunteering is very accessible, with tasks for everyone who wants to join. In the exhumations I

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<sup>265</sup> Philippe Ariès, "The Hour of Our Death," in *Death, Mourning, and Burial. A Cross-Cultural Reader*, ed. Antonius C. G. M. Robben (Malden, Oxford & Carlton: Blackwell Publishing, 2004), 41.

<sup>266</sup> Verdery, *Political Lives*, 106–108.

<sup>267</sup> Capdevila and Voldman, *War Dead*, 162.

<sup>268</sup> Marco González (ARMH vice-president), reburial, video-recording, Chillón, May 1, 2012.

<sup>269</sup> See ARMH, "Informe 2000–2014," 7; Emilio Silva, interview by Cadena Ser: "Emilio Silva: "Ser pariente de un rojo asesinado te podía causar problemas," accessed December 16, 2014, [http://cadenaser.com/programa/2013/08/30/audios/1377820244\\_660215.html](http://cadenaser.com/programa/2013/08/30/audios/1377820244_660215.html).

<sup>270</sup> Interviews with ARMH volunteers during exhumation, video-recordings by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

attended, there were volunteering teachers, a psychologist, and a forester working on their free days; a nurse and a historian who were unemployed, like many others during the economic crisis; a mine worker on leave, etc. The experience of working and living together and sharing the physically and emotionally heavy work of the exhumations creates lasting friendships. Tellingly, a dream that one of them keeps having is that they all sleep at the side of the mass grave, talking and having fun; and indeed, enjoying the work is part of the association, especially since it is based on voluntary work.<sup>271</sup> The night before the reburial in Chillón, Harry Natowitz asked what the motivations of these “young people” were, to “devote themselves to a past that they had not lived.” Next to ideals such as “humanity” and “solidarity,” the volunteers pointed to “friendship” and *compañerismo* as something that kept them going. As the ARMH vice-president explained it at the end of the intense Chillón exhumation: “It is a very strong social movement *que te mueve*.”<sup>272</sup> Other volunteers said that participating in the exhumations absorbs one into “the great heart that is the ARMH,” or into the “family” of memory as the ARMH has been coined on other occasions.<sup>273</sup>

Apparently, the exhumation movement chooses the transformative and dynamic character of the exhumations over the more preservative reflex of making *lieux de mémoire* of the mass grave sites. Indeed, archaeological excavating is a science that in some way destroys, or at least transforms, its own material sources. To render memories public, sites of memory have the advantage of having a material and firm basis. With mass graves, the material basis even gives it a symbolic and disturbing power unique to ‘badly buried’ human remains. However, sites of memory can be invisible or forgotten and are in no way a ‘guarantee’ for memory. For the Spanish memory movement, it seems that its force is in its active network, constructed through a chain of momentary but intense memory actions. It is this active network which has given the mass graves a new meaning in the public sphere. The durability and performativity of the Spanish memory movement is perhaps more to be found in relationships, actions, and social effects than in stone.

Still, not all supporters of remembering the defeated in Spain are in favour of this choice. In the beginning, Foro resisted the idea of exhuming graves, and critics of the exhumations still argue that without judicial investigations, exhuming the mass graves equals “destroying” “evidence” or “sites of memory.”<sup>274</sup> And still there are memory

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<sup>271</sup> Marco González (ARMH vice president) and René Pacheco (ARMH head archeologist), interviews during exhumation, video-recordings by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>272</sup> Marco González (ARMH vice president), interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>273</sup> For instance, conversations with ARMH at dinner table, fieldnotes, Almadén, April 30, 2012; Conversations upon arrival, fieldnotes, 10 years ARMH, Ponferrada, October 22, 2010; Etxeberría, lecture, Ponferrada.

<sup>274</sup> Etxeberría, lecture, Madrid; lecture, Ponferrada.

associations such as the Asociación Archive War and Exile (AGE), and the Association of the Friends of the Grave of Oviedo (AFAFC) that consider exhuming “erasing genocide” and prefer to preserve the mass graves.<sup>275</sup> In Chillón as well, the reason why the family García objected to exhumation was because they wanted to keep the mass grave as a “testimony” for future generations.<sup>276</sup> While the ARMH team disposed of this as “sounding very Foro,”<sup>277</sup> the García family had actually spent a lot of effort to turn the mass gravesite, some kilometres from the village centre, into a site of memory where the affected families and sympathizers gathered. Immediately after burying the bodies in 1939, the uncle of Valentín and Ignacio García had laid a stone to mark the location of the grave; in the 1960s Valentín had hung a plaque on a tree at the site; and in the 1980s the relatives, with the help of the socialist party, had built a monument with a new commemorative tablet, right on top of the grave (see fig. 38), with the old plaque buried underneath. Many relatives visited the site on All Saints’ Day (November 1), and some gathered there with the socialist party May 1. During the exhumation however, the family García gradually accepted the new *milieu de mémoire* that grew during the exhumation and let go their fear of losing the site as a material testimony and site of remembrance. The monument had to be removed to dig out the whole grave (see fig. 39), the old plaque was found underneath it and stored away, and after the exhumation the fence that allowed entrance to the site was closed. As far as I know, the site is no longer used for commemorations. The reburial created a potential new site of memory, albeit more ‘normalized,’ with a collective tomb in the town cemetery, finished with the tablet from the monument at the *Contadero*. The Garcías were very present relatives at the exhumation and reburial, and they embraced this new network that united different generations of relatives.

Forensic exhumations do not preclude the preservation of some kind of *lieu de mémoire*, however. One can decide to do a forensic investigation *in situ* and leave the bodies where they were, as was done in Camuñas, an exhumation of, amongst other persons from the winning side killed by Republicans, priests who qualified for beatification.<sup>278</sup> In some cases, relatives or associations succeed in marking the site as a

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<sup>275</sup> See “Web de la Fosa Comun de Oviedo,” last modified January 1, 2015, <http://www.fosacomun.com/>; “AGE,” last modified December 31, 2014, <http://age-derechos.blogspot.be/>; Also see Ferrándiz, “Políticas de la memoria en la España contemporánea,” s.p.; Ignacio Fernández de Mata, “The Rupture of the World and the Conflicts of Memory,” in: C. Jerez-Farrán and S. Amago, eds., *Unearthing Franco's Legacy: Mass Graves and the Recovery of Historical Memory in Spain* (Notre Dame: University of Notre Dame Press, 2010), 296.

<sup>276</sup> Carmen García (granddaughter of one of ‘the nine’ in Chillón, pseudonym), “Dedicatoria: A mi abuelo,” open letter, Almadén, 2009.

<sup>277</sup> ARMH team member, telephone conversation, fieldnotes, Almadén, November 15, 2011.

<sup>278</sup> Aranzadi, *Informe de la inspección del pozo de Camuñas* (Toledo) (San Sebastián, 2008), accessed January 10, 2015, [http://www.persecucionreligiosa.es/mina\\_camunas/informe.pdf](http://www.persecucionreligiosa.es/mina_camunas/informe.pdf); Francisco Ferrándiz, “Rapid response

site of memory after the bodies have been removed – which nevertheless might take away some of its disturbing or haunting power. In Chillón, some material memory of the grave stayed at El Contadero. Naturally, the digging always leaves traces in the layers of soil, but the relatives also decided to bury the framed collage of portrait photos in the pit (see fig. 37) and plant nine olive trees at the site – the vulnerability of which, however, left the old Ignacio García with a fear that animals would eat them. After the exhumation of the three women in Candeleda in 2002, local left-wing memory activists who would later found the local Foro erected a monument, dedicated to “the Republican women,” at the site.<sup>279</sup> In La Andaya they refilled the pit with a specific kind of sand that would maintain the shape of the pit. The ARMH also marked the tenth anniversary of its first exhumation with a commemorative tablet at the site and organized two days of lectures and ceremonies around its inauguration. Francisco Etxeberria goes as far as to say that the exhumations serve to “dignify” “a site and let it become a site of memory. He gives the example of Valdediós, where, after the exhumation, the principal of Asturias inaugurated a monument that turned the site into a site of memory for everyone to visit. As Etxeberria states, many relatives went to those sites prior the exhumations, but “clandestinely,” and had to wait for the exhumation to show that the “legend” was “true.”<sup>280</sup>

In most cases however, the site is left for what it is after the exhumation. Trying to obtain a monument at the mass grave sites means a long battle with landowners or public institutions such as the road authorities, while the memory associations are now already “at the limits of their possibilities,” according to Emilio Silva. He would be in favour of signposting all exhumation sites, but adds that this is a task for politicians. He summarizes the question of monuments tellingly: “In a country with so much ignorance about our history, the best monument possible, to my grandfather and his generation, is in the head of the people. And the best monument to mark those mass graves is in the history textbooks, another fight we are waging against the government.”<sup>281</sup>

The development of a new *milieu de mémoire* of the *memoria histórica* movement in Spain is crucial to understanding the impact of the exhumations on the role of the Civil War and dictatorship past in Spain. Pierre Nora used the term *milieu de mémoire* to describe an emergence of organized and fixed *lieux de mémoire*, as part of a modern historical remembrance in an age of change and secularization. He understood this as a consequence of the collapse of the pre-modern, multiple, and ideologically oriented

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ethnographies in turbulent times: Researching mass grave exhumations in contemporary Spain,” *Anthropology Today* 29 (2013): 20.

<sup>279</sup> Ferrándiz, “Exhuming the defeated,” 44.

<sup>280</sup> Etxeberria, lecture, Madrid.

<sup>281</sup> Silva, email-interview.

*milieux de mémoire*.<sup>282</sup> The *lieu de mémoire*, official memory policies, and even the academic study of memory came into being because there was so little actual memory left, so to speak.

If we apply his typology to the Spanish memory movement, a return of the *milieux de mémoire* can be observed, with different memory organizations engaging in politics of memory. This leads to the hypotheses that first, this *milieu de mémoire* in Spain, which works independently of sites of memory and even destroys or at least transforms sites of memory in some way,<sup>283</sup> is an example of a dynamic, spontaneous memory movement resisting the depoliticized history that official commemorations around sites of memory would entail; and second, that *milieux de mémoire* such as the Spanish memory movement are a mosaic of particular groups with different memories, identities, and ideological projects. Let us now take a look at what kind of acknowledgement is generated by this heterogeneous memory network.

#### 4.4 “No basta con desenterrarlas:” Politics of acknowledgement

Given the long time that Republican memory has been ‘privatized,’ acknowledgement is a very important target for the Spanish memory movement. After more than a decade of exhumations, the associations claim that they have helped to turn “private memory into public memory.”<sup>284</sup> “*Reconocimiento público*” of the suffering of the defeated, and especially the families of the *paseados* in the mass graves, has indeed been one of the primary aims of the exhumation movement.<sup>285</sup> Recognizing the defeated in their victimhood is, next to their “professional” motivations, a personal motivation of many of the collaborating expert-practitioners.<sup>286</sup> In Chillón, some of the proponents of the exhumation mentioned “recognition for why they died” while they were trying to convince the García family, and during the reburial, the ARMH vice-president

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<sup>282</sup> Nora, “Les Lieux de Mémoire,” 7.

<sup>283</sup> The nuance of ‘transforming’ rather than ‘destroying’ was brought to my attention by Luís Ríos, biologist in the Aranzadi exhumation team, during ‘Corpses in Society: Human Remains in Post-Genocide and Mass Violence Contexts,’ the Third Annual & International Conference of the Research Programme: Corpses of Mass Violence and Genocide, in Manchester, September 8–10, 2014.

<sup>284</sup> This was for instance stated in Etxeberria, lecture, Ponferrada.

<sup>285</sup> “Working for the recognition of the persons who fought against Francoism” is cited as one of the ten aims of the ARMH. See ARMH, “Informe 2000–2014.”

<sup>286</sup> This was the case for the first professional archaeologists and anthropologists, for instance. Julio Vidal and María Encina Prada, cited in Silva and Macías, *Las fosas*, 58.



emphasized several times the importance of public recognition of the town for their *represaliados*. The symbol of the shift from private to public memory is the exhumation in Priaranza del Bierzo in 2000. As Emilio Silva stated, with the exhumation in Priaranza, his “family history” became a “social history.”<sup>287</sup> Emilio Silva himself even went public, since he had to learn to take the floor after years of personal silence.<sup>288</sup> In the ten years of the ARMH’s work, according to former vice-president of Santiago Macías, their “social movement” had “converted private into public memory,” illustrated by the fact that their celebration of ten years of work took place in a university building, something that had been unimaginable before.<sup>289</sup> Silva goes so far as to say that “normalizing the past,” or “the fact that one does not have to hide in a kitchen to talk about these graves but that one can now do this publicly,” is “one of the ‘great victories’ of the exhumations.”<sup>290</sup>

The exhumations clearly play an important role in breaking up the private sphere in which Republican memory has been contained, first during Franco’s repression of Republican public memory between 1939 and 1975 and later by the ‘pact of forgetting’ installed with the Amnesty Law of 1977 that banished the memory to the violence out of the political realm. As with many other emancipatory movements, the exhumation movement shifts the boundaries of the public and private sphere. However, to understand the impact of the exhumations, we need to know what kind of acknowledgement they aim for and obtain: acknowledgement from whom, to whom, for what, and to what extent? Indeed, there are different interpretations of the public sphere, depending on the historical and political context. While in everyday conversations making something public can just mean making it visible, open, or accessible, it can also mean everything that considers the collective, rather than the individual.<sup>291</sup> Keeping a memory private entails much more than keeping it hidden, as is demonstrated by the comprehensive Francoist commemoration program that excluded Republican memory from mourning and recognition. Consequently, placing an issue on the public agenda requires more than just making it visible. To what extent does the exhumation movement succeed in shifting Republican memory from an issue considered private and familial to an issue considered a collective responsibility of Spanish society?

As previously explained, the Spanish exhumation movement does clearly make Republican memory visible, thereby using the visible power of exposed remains and the

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<sup>287</sup> See ARMH, *La exhumación de “Los trece de Priaranza” octubre año 2000* (2011), documentary, 58 min. Online audio-visual file, accessed June 27, 2012, <http://www.youtube.com/watch?v=CxB1kDkx4Ww&feature=g-all-u&context=G273da2bFAAAAAAAGAA>.

<sup>288</sup> Emilio Silva, public speech, fieldnotes, Priaranza del Bierzo, October 24, 2010.

<sup>289</sup> Santiago Macías, public speech, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010.

<sup>290</sup> Silva, email-interview.

<sup>291</sup> Weintraub, “Public/Private Distinction,” 5.

science of ‘sight,’ forensic anthropology. However, something can be known and visible and still not ‘public’ in the sense of considered relevant to address collectively, let alone by the state. But apparently, exposing the grave of Priaranza was only the first step. Through the years, the memory movement has expended a lot of effort to seek acknowledgement in the sense of making the suffering of the defeated an issue of collective interest and responsibility.<sup>292</sup> They placed the mass grave issue on the public agenda through the above-described techniques. However, this ‘public agenda’ can be interpreted differently. It can mean to deal with it officially by making it a matter of the administrative state, or collectively with the political community or civil society, or just get it out of the familial sphere.<sup>293</sup> So, to understand what kind of acknowledgement the exhumations are trying to achieve, we need to know the kind of public acknowledgement to which they aspire: civil society, non-governmental organizations such as associations, the state? Moreover, acknowledgment can be obtained from ‘public’ entities or institutions at the three levels (micro, meso, and macro) of analysis in this study: the local, national, and international level.

Processes of burial and reburial not only create or affirm communities of commemorators; they can also define, narrow, or expand them. To find out who gives and obtains acknowledgement through the exhumations, we can analyze who requests and organizes the exhumations, who is invited to reburials, who sits where, who pays for the process, what kind of collective is appealed during ceremonies, and so on. Whom does the exhumation movement address to ask for acknowledgement? What kind of ‘public’ is construed through the exhumations? Due to the unregulated character of the Spanish exhumations, the Spanish case reveals once again a very diverse picture with contesting approaches.

To situate and interpret the kind of acknowledgement for which the exhumations strive, I use the framework of John Torpey.<sup>294</sup> Acknowledgement, just as official apologies and commemorations, is one of the measures of reparation that Torpey pictures in a broad field of reparation politics. In this field he sees two principal types of reparation. He bases this mapping on the difference that Mahmood Mamdani draws between a focus on perpetrators or beneficiaries, which fuels demands for, respectively, criminal justice or social justice. Torpey therefore convincingly differentiates between two principal types of reparations: “commemorative,” and “anti-systemic.” These two types are distinguished by the type of offenses for which reparation is sought, and types

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<sup>292</sup> Thomas Nagel, “Exposure and Concealment,” 12.

<sup>293</sup> Weintraub, “Public/Private Distinction,” 7.

<sup>294</sup> All quotes in the following paragraph are from John Torpey, “Introduction: Politics and the Past,” in *Politics and the Past: On Repairing Historical Injustices*, ed. John Torpey (Lanham: Rowman & Littlefield Publishers, 2003), 9-22.

of offenders on whom to focus. “Commemorative reparations” (later re-phrased by John Torpey as symbolic) focus on “specific abuses committed against individual persons,” and target perpetrators. “Anti-systemic” reparations focus on “systemic abuses leading to group-based inequalities in the present,” and target beneficiaries. Whether a certain crime is defined as public or private (committed by the state or a private actor) and whether the consequences are considered an “internal problem” or affecting a larger collective, determines the type of reparation. So, in this section I analyse in which directions claims for reparation and acknowledgement by the exhumation movement go and to what extent the forcefully privatized memories of the defeated are made public.

The ARMH started as a network of solidarity between victim’s relatives to help other families finding and reburying their own missing relatives of the Civil War. This familial aspect of the problem is still a major motivation for many exhumation volunteers. Some ARMH volunteers state as their motivation that, while they have not yet found their own grandfather, they want to help finding “other people’s grandfathers.”<sup>295</sup> Silva and Macías decided that the ARMH should be an association or NGO, independent from political parties and the state. The association fit in the renewed civil society that had taken root since the transition to democracy.<sup>296</sup> However, in the human-rights model of transitional justice, an NGO lacks the official and legal mandate for acknowledgement.<sup>297</sup> This is why, from the beginning, the ARMH has aimed for state recognition for the relatives of victims of Francoism.

Breaking the political ‘consensus’ of 1977 by asserting that the memory of the defeated is a collective responsibility proved not to be easy. As said in Chapter 3, it was seen as vengeful, reopening old wounds and violating the spirit of the transition. Making Republican memory public was immediately seen as ‘politicizing’ the Civil War. And although equating ‘public’ with ‘political’ is a common confusion,<sup>298</sup> especially in the Spanish post-transition context, the political effects of such a shift in public-private boundaries are indeed not to be underestimated.

The movement started to point the state to its responsibilities with different strategies. The movement has “played *quinta columna*” (fifth column) in different

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<sup>295</sup> Nuria Maqueda (ARMH team member), interview during exhumation, video-recording by Sarah Vanagt, Chillón, November 3, 2011; Marco González (ARMH vice-president), conversations with ARMH at dinner table, fieldnotes, Almadén, April 30, 2012.

<sup>296</sup> Rubin, “Against the State,” 5.

<sup>297</sup> For a discussion on the “awkward relationship” of the Spanish transitional justice practices to the law, see Jonah Rubin, “Against the State.”

<sup>298</sup> Weintraub, “Public/Private Distinction,” 6.

political parties,<sup>299</sup> augmented the pressure on the Zapatero government, and got an inter-ministerial commission on the ground to investigate the situation of the victims of the Civil War and Francoism. This gave way to the Law on Historic Memory that, informed by the globally emergent ‘transitional justice culture,’ extended the recognition of victims of the Civil War to all victims of human-rights abuses. The law stipulated that the state had to facilitate the exhumations.<sup>300</sup>

The law disappointed the memory movement, however, mainly because it did not pass on responsibility for the exhumations from the civil society to the state. The law merely “allowed” private memory to “pluralise” the hitherto official memory installed by the “pact of forgetting.” Indeed, the law defined the memory under discussion not as collective memory, but as “personal and family memory” and exhumations as a private, individual right.<sup>301</sup> In what Ferrándiz has called a “human rights outsourcing” model, the mass graves are left to the relatives and their associations themselves.<sup>302</sup> They could only get indirect support, in the form of limited state funds, for exhumations between 2006 and 2012, and the law left the request, search, and organization to them. In other areas as well, the law leaves the initiative to the relatives. For instance, landowners cannot be forced to allow an exhumation on their land; and relatives of victims of military tribunals and councils of war, responsible for executions until 1975, have to go to court for rehabilitation because the law does not provide an annulment of the judgements.

Some supporters of the memory movement therefore argue that the law returned to the private status of the memory of the victims of Francoism. The director of the memory program of the regional government of Andalusia explicitly condemned the privatisation of memory with the following words:

the recovery of historic memory [...] is no longer the *mesa de camilla* (small table with brazier in Spanish households) and the history of your grandfather or uncle. It is a problem of society, a duty of democracy. *A nosotros ya no sólo nos basta el amor, queremos justicia* (we no longer need love, we want justice). The law of 2007

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<sup>299</sup> José Ignacio Casado (ARMH Burgos), public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>300</sup> Humphrey, “Law, Memory and Amnesty,” 35–38.

<sup>301</sup> Carolyn P. Boyd, “The politics of history and memory in democratic Spain,” *Annals of the American Academy of Political and Social Science* 617 (2008): 145. José Antonio Moreno, “La memoria defraudada: Notas sobre el denominado proyecto de ley de memoria,” *Hispania Nova* 6 (2006): s.p.; Humphrey, “Law, Memory and Amnesty,” 35.

<sup>302</sup> Francisco Ferrándiz, “Exhuming the Defeated: Civil War Mass Graves in 21st-Century Spain,” *American Ethnologist* 40 (2013): 38–54. Also see Amnestía Internacional, *Víctimas de la Guerra civil y el régimen franquista: el desastre de los archivos, la privatización de la verdad* (Madrid, Secretariado estatal, 2006), 18.

consecrates the private, domestic model of memory. [...] It is not about letting our dead rest in peace; it is about letting the ones pay that committed the genocide.<sup>303</sup>

Many actors in the memory movement, including expert-practitioners and victims, consider it wrong that “private forums” have to organize the exhumations. According to legal expert José María Sauca, for instance, the 2007 law is conceived as a response to a “legitimate request,” an “administrative” service for individuals, rather than a protection of a “fundamental right.” It treats exhumations like any other archaeological excavation.<sup>304</sup> They plead for the recognition of the “right to know” as an issue of “public interest” rather than a “private right,” and as a “duty of the state.”<sup>305</sup> Foro goes as far as to call the legislation a law of “*punto final*.”<sup>306</sup>

In this ‘outsourcing model,’ one could argue that with their judicial, scientific, and procedural character, the exhumations provide a mechanism of reparation and acknowledgement that substitutes for official recognition by state-sponsored mechanisms such as trials and truth commissions. As Jonah Rubin also remarks, the next best option “resembling the authoritative decree that precedes the judge’s gavel” is indeed “the scientific expert addresses the camera.”<sup>307</sup> However, as forensic doctor Francisco Etxeberría states, forensic scientists lack the authority to make the truths they gather “official.”<sup>308</sup> He considers public and institutional recognition very important, but this lies beyond the role of forensic experts. They normally only “provide information,” “*trozos* (pieces) of truth,” and “proposals” for identification and causes of death. In fact, although Etxeberría accuses historians of claiming “absolute truth,” his discipline is much closer to the revisionist character of historiography than he thinks, when he says that truth is never complete but always “tendential and approximative.”<sup>309</sup> The pieces of information have to be combined and interpreted by an

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<sup>303</sup> Luis Naranjo, cited in Olivia Carballar, “Estamos perdiendo la batalla de la memoria,” *andaluces.es*, January 16, 2014, accessed November 18, 2014, <http://www.andalucesdiario.es/ciudadanxs/estamos-perdiendo-batalla-memoria/>.

<sup>304</sup> José María Sauca, public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.

<sup>305</sup> Etxeberría, lecture, Madrid; Luis Naranjo, general director of Memoria Democrática in Andalusia, cited in Olivia Carballar, “Estamos perdiendo la batalla de la memoria,” *andaluces.es*, January 16, 2014, accessed November 18, 2014, <http://www.andalucesdiario.es/ciudadanxs/estamos-perdiendo-batalla-memoria/>.

<sup>306</sup> Javier Mestre, “Sobre el potencial práctico de la ley de memoria histórica española como ley de punto final,” *Rebelión*, January 6, 2011, accessed November 19, 2014, <http://www.rebelion.org/noticia.php?id=119842>.

<sup>307</sup> Rubin, “Against the State,” 14.

<sup>308</sup> Etxeberría, cited in Enrique Conde, “Lo único que busco es la verdad, el problema es que no se oficializa,” *Noticias de Navarra*, September 12, 2012, accessed November 19, 2014, <http://www.noticiasdenavarra.com/2012/09/12/sociedad/navarra/lo-unico-que-busco-es-la-verdad-el-problema-es-que-no-se-oficializa>.

<sup>309</sup> Etxeberría, lecture, Madrid; Etxeberría, Ponferrada.

official institution such as a judge in court, archived and made public by a central institution. Other anthropologists as well have shown reluctance to take responsibility for signing a forensic report, because ‘validating’ the ‘truths’ in the reports is beyond the mandate of the forensic expert and is normally done in court.<sup>310</sup>

This does not mean that according to Aranzadi and ARMH the state needs to *carry out* the investigative process. Etxeberría argues that officials should facilitate the exhumations but leave the investigation to expert practitioners. He also argues that the technical, investigative work is best separated and left to scientific experts independent of the memory associations,<sup>311</sup> while the Foro and ARMH combine memory activism with the work of the exhumations. Some volunteers in Aranzadi believe that relatives have more confidence in scientists from public universities, and in the ARMH they believe in the value of the fact that their volunteers work with their “heart,” are very close to the local communities, and have empathy for the relatives that officials would not so easily achieve. One could say that what the Spanish exhumations lack in official rituals and theatre of state ceremonies, they make up with being close to the people who request the exhumations.

Due to their years of work ‘under the radar,’ the Spanish exhumation teams are used to working as experts with a great degree of independence from the state. As Jonah Rubin pointed out, and was confirmed in the exhumation at Chillón, in those cases where the state has interfered – with protocols, state laboratory teams, visits by judges, and the like –the process was dramatically slowed or excluded relatives from the process.<sup>312</sup> The latter happened recently in Andalusia, where the regional government has an official program of ‘historical memory’ that already provoked accusations of *patrimonializar* the past and using it for “political protagonism.”<sup>313</sup> In other post-conflict countries as well, research has shown that the relationship between the state’s forensic teams and the victims’ relatives can be tense. Therefore, the Spanish case is a textbook example of the tension between the judicial and humanitarian aim of exhumations,<sup>314</sup> in

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<sup>310</sup> For instance José Luis Prieto, question-and-answer session *mesa agentes*, audio-recording, Universidad Carlos III, Madrid, October 14, 2010.

<sup>311</sup> Etxeberría, lecture, Madrid; Ponferrada; question-and-answer session *mesa agentes*, audio-recording, Universidad Carlos III, Madrid, October 14, 2010; conversation, fieldnotes, La Mazorra, May 5, 2011.

<sup>312</sup> Rubin, “Against the State,” 17–18. Etxeberría also gave an example of an exhumation where the state took responsibility over one victim, which slowed the investigation of that victim down compared to the others: interview, Valdenoceda.

<sup>313</sup> María Serrano, “La Junta decide exhumar la fosa de ronda sin contar con los familiares,” *andaluces.es*, October 14, 2014, accessed November 19, 2014, <http://www.andalucesdiario.es/ciudadanxs/comienzan-los-tramites-de-exhumacion-de-la-fosa-de-ronda-sin-previo-aviso-a-sus-familiares/>.

<sup>314</sup> About this growing tension between humanitarian needs of families of the missing and the evidentiary needs of criminal tribunals, see Eric Stover and Rachel Shigekane, “Exhumation of Mass Graves: Balancing

which the ARMH opts for giving the relatives their long-awaited reparation, with or without a judicial framework.

The constant disappointment in the “uphill struggle against officialdom”<sup>315</sup> led the memory movement resort to other strategies to appeal to the state. During the exhumation work itself, they try to implicate the state in the whole process. The exhumation teams always denounce the finding of human remains with signs of a violent death to the local authorities and point the local judge to his responsibility to investigate the site. In the cases in this study, local state representatives, especially mayors, were strongly encouraged to attend and open the reburial ceremony, and pay for the collective tomb. According to Etxeberria, many blame the government and the limits of the memory law, while they could easily contribute themselves to the acknowledgement of the victims. In the case of the localization of bodies of former mayors or municipal councillors, for instance, Etxeberria expects the whole town council, and especially the mayor, to pay their respects to their predecessors.<sup>316</sup>

The most important strategy for getting the Spanish state involved has been the employment of the international ‘transitional justice culture’ that had taken root in Spain with the legal activism of Judge Garzón against Pinochet. By using the human rights corpus developed around the concept of ‘enforced disappearance’ and the principle of universal jurisdiction. Through the UN Working Group on Enforced or Involuntary Disappearances, they could urge the state to take responsibility to centralize and officialize truth-seeking efforts.

One of the biggest steps in judicializing the crimes of Francoism was the investigation that Judge Garzón opened into twenty-two alleged cases of forced disappearance, which involved more than 100,000 victims and which for the first time judicially ordered exhumations. Although the case was closed and Garzón was removed from the judiciary, the whole controversy caused a breakthrough in putting the victims of Francoism on the public agenda. The “shame” for what happened to Garzón mobilized a lot of support and solidarity in and outside Spain.<sup>317</sup> The memory movement had never been so visibly active in conventional and social media, and some victim’s relatives went to testify in court. The authority of Judge Garzón served as kind of guardian angel that, according to Silva, took away fear for many victims and fostered a collective victim’s

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Legal and Humanitarian Needs,” in *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*, ed. Eric Stover and Harvey M. Weinstein (Cambridge: Cambridge University Press, 2005), 85.

<sup>315</sup> Helen Graham, review of *Franco’s Crypt: Spanish Culture and Memory since 1936*, by Jeremy Treglown, *The Guardian*, March 21, 2014, <http://www.theguardian.com/books/2014/mar/21/francos-crypt-spanish-culture-memory-since-1936-review-jeremy-treglown>.

<sup>316</sup> Etxeberria, lecture, Ponferrada.

<sup>317</sup> Conversation with Emilio Silva, fieldnotes, Ronda de Sol, Madrid, May 20, 2010.

consciousness.<sup>318</sup> Consequently, when Judge Garzón was suspended, it caused a moratorium in the exhumation requests, since many victims' relatives thought that the exhumations would now be impossible.<sup>319</sup>

This road of human rights that the exhumation movement has embarked on has been called the “Argentinization” of Spain,<sup>320</sup> and indeed, with the help of Argentinean lawyers previously working on a case of universal jurisdiction in Spain against a former Argentinean *junta* officer, victims of Francoism took the “way back”<sup>321</sup> and have now successfully opened a case against former Francoist officials in Argentina.<sup>322</sup> In the Argentinean human-rights framework, the Spanish disappeared are not a matter of “solidarity” but a matter of the state that is “complicit” if it does not take up responsibility for the legal investigations.<sup>323</sup> The importance of judicial truth for the relatives of victims of Francoism has to be understood in light of the lack of acknowledgement of the rumours around the victims' death and the stigma of guilt and shame carried by the relatives. As a prominent memory activist and son of a *represaliado* explained, he filed a complaint in Argentina because he wants “a judge to say that they murdered him while he did not deserve it, and remove the stain that we all carry inside, because they said ‘they must have done something.’ Only a judge can take away that stain.”<sup>324</sup>

With or without the state, “govern who might govern,”<sup>325</sup> the exhumation associations try to contribute in their own way to the acknowledgement of the victims of the *vencidos*. Let us take a look at forms of acknowledgement other than the institutional and national kind, such as social and local. And for lack of central initiative, the Spanish exhumations reveal a great diversity.

First of all, given the rural reality of the mass grave exhumations, it would be wrong to only focus on the state when assessing the impact of the exhumations on the acknowledgement of the crimes. And indeed, as already described, the exhumation teams involve the local community throughout the whole process. For many elderly in the villages, their local community is their main point of reference in daily life, which

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<sup>318</sup> Conversation with Emilio Silva, fieldnotes, Premiere Los Caminos de la Memoria, Madrid, April 21, 2010; Carlos Slepoy, public speech, Sit-in, Complutense University, Madrid, April 23, 2010.

<sup>319</sup> Conversation with Silva, Madrid; Conversation with ARMH team, fieldnotes, Oropesa, November 2010.

<sup>320</sup> Rubin, “Against the State,” 9.

<sup>321</sup> Hilda Farfante, cited in Natalia Junquera, “Justicia a 10,000 kilómetros del crimen,” *El País*, September 9, 2013, accessed January 10, 2015, [http://politica.elpais.com/politica/2013/09/09/actualidad/1378758760\\_697796.html](http://politica.elpais.com/politica/2013/09/09/actualidad/1378758760_697796.html).

<sup>322</sup> Humphrey, “Law, Memory and Amnesty,” 38.

<sup>323</sup> Ana Messuti (Argentinean lawyer and initiator of *la querella*), public speech, audio-recording, Ponferrada, October 23, 2010.

<sup>324</sup> Fausto Canales, cited in Junquera, “Justicia a 10,000 kilómetros.”

<sup>325</sup> ARMH, “Informe 2014,” 9.



means that social acknowledgment in their community is as important as institutional acknowledgement from the state. Receiving recognition of the deaths they suffered by the locals who come to a reburial can therefore not be underestimated. On the reburial in Chillón, the ARMH president emphasized the importance of the presence of so many people from the village itself. Etxeberria thinks that the fact that the families are “accompanied” on reburials by their neighbours, and that even right-wing people come to acknowledge their suffering and their “merit for having pulled through,” is perhaps more important for the families than the declaration of recognition they can obtain from the government.<sup>326</sup> Emilo Silva claims that, from the “cultural point of view of a village,” the fact that “a taboo collapses” is revolutionary.<sup>327</sup> One could argue that in the open and communal exhumations and reburials in Spain, the towns function as a kind of people’s court.

In their constant search for resources, the victim’s relatives and associations count on their own *milieu*. The ARMH volunteers cover 80% of the organization’s work, and its members provide 5% of its budget.<sup>328</sup> Since the annulment of subsidies in 2012, one exhumation has been funded by crowd funding and another one by a Norwegian union.<sup>329</sup> On the one hand, the fact that these networks provide funding for exhumations illustrates the lack of state support painfully, but on the other hand it points to the communal character of the exhumations and the social solidarity with the victims of Francoism in certain circles.

Lastly, acknowledgement is also sought in political communities, but to very different degrees and not without tensions. In Chillón for instance, the reburial invitations came from the local PSOE faction, which had also decided to do the reburial on May 1. The *comida de fraternización* was paid for by the PSOE local government and was actually the same traditional meal the party always organized on May 1. This could be interpreted as either acknowledgement or political use. The ARMH and some relatives, especially the García granddaughters, although they deemed the presence of the mayor as state representative very important, did not appreciate this protagonism of the party.

Depending on the *milieus de mémoire* of the different associations, ‘public and political *reivindicación* (vindication or recognition)’ is organized very differently. To cut it short, while Aranzadi has a lot of academic contacts, the network of the ARMH is represented

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<sup>326</sup> Etxeberria, lecture, Madrid; . Regarding the declaration, see “Artículo 4. Declaración de reparación y reconocimiento personal,” Historical Memory Law, accessed January 10, 2015, <http://leymemoria.mjusticia.gob.es/cs/Satellite/LeyMemoria/en/memoria-historica-522007#a4>.

<sup>327</sup> Silva, email-interview.

<sup>328</sup> ARMH, “Informe 2014,” 8.

<sup>329</sup> Natalia Junquera, “Noruega cumple el sueño de Camilo,” *El País*, July 21, 2014, accessed January 10, 2015, [http://politica.elpais.com/politica/2014/07/21/actualidad/1405958444\\_465287.html](http://politica.elpais.com/politica/2014/07/21/actualidad/1405958444_465287.html).

as a family open to different ideologies, and the Foro's *milieu* is the communist party. The ARMH and Aranzadi, although they consider *reivindicación* an important aspect of the memory movement, leave this aspect up to the relatives, while Foro organizes this according to their strict ideology. Most expert-practitioners, and the associations ARMH and Aranzadi, respect political messages, especially during the reburial ceremony, but do not see it as their right or responsibility to take care of that. The ARMH gives this right to the relatives and sees the public reburial not as a sign of political *reivindicación* but of a social acknowledgement any village would give to a group of people, if they died in a war or in a car accident.<sup>330</sup> Aranzadi forensic doctor Etxeberria does see a responsibility for political activists (*militantes*) to recognize their predecessors who fought for their political ideas.<sup>331</sup> The Foro however, frame exhumations and reburials explicitly as anti-fascist and communist political meetings, with republican flags, songs, and symbols. For their reburials they bring tens of volunteers to the villages, their fists raised, and they broadcast the ceremonies online. While the other associations try to maintain a dialogue with all actors involved, for instance if the terrain of the mass grave is not made accessible, the Foro often provokes landowners, mayors, and relatives. On the other side of the political spectrum, the Camuñas exhumation was meant to serve as an acknowledgement of the Church, in the form of a beatification of the victims. The excavation ended with a religious service and the singing of *Cara al Sol*, the Francoist hymn, and as the observing journalist recounts, “although *abajo*, at 30 meters below the surface, the work for Etxeberria was the same as usual, *arriba* (atop) everything is different.”<sup>332</sup>

In spite of these non-institutional forms of acknowledgment, the exhumation associations, hampered by the hostile political context in which they operate, do not equivocally break through the privatization of Republican memory. Because the ARMH depends on the widespread respect for deceased relatives to legitimize their exhumations, some aspects of the exhumation process do not get beyond the familial sphere. Although the ARMH prefers a collective and civic reburial, and Aranzadi always advises building a collective tomb for remains that are not identified or claimed, they let families decide on burial arrangements. Some families, as the ones in Oropesa and Chillón, explicitly prefer to keep the bodies, and thereby the commemoration, collective; others opt to return the body to the family tomb or hometown (in the case of killings far away from home), for individual, sometimes religious, reburials in an

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<sup>330</sup> Conversation with Marco González (ARMH vice-president), fieldnotes, Puebla de don Rodrigo, May 28, 2011.

<sup>331</sup> Etxeberria, lecture, Ponferrada.

<sup>332</sup> Natalia Junquera, “La Iglesia también abre las fosas de sus muertos,” *El País*, January, 24, 2010, accessed November 25, 2014, [http://elpais.com/diario/2010/01/24/espana/1264287614\\_850215.html](http://elpais.com/diario/2010/01/24/espana/1264287614_850215.html); Ferrándiz, “Rapid response ethnographies,” 44.

intimate familial circle. This has led critics to conclude that the ARMH tends to ‘privatize’ the memory of the defeated to the level of the family.<sup>333</sup>

Funerary rituals are respected by many Spaniards, including right-wing or apolitical persons, but are considered familial issues or at best *cosas de pueblo* (village matters).<sup>334</sup> Hence, on the one hand the associations need these familial values to legitimize their work. On the other hand, deploying these values reinforces the disparagement of their work as “*buscar el abuelito*” (searching for the little grandpa). This particular representation of the exhumation movement is, as political scientist and returned exile Viçenc Navarro argues, common in conservative media but also among historians such as Santos Juliá. It considers the exhumations a private responsibility for one’s own deceased relative.<sup>335</sup> In this interpretation, everything that goes beyond the humanitarian aim of the exhumations is considered ‘politicizing,’ so the message is ‘bury your dead and then stop making trouble,’ which seems to fit in with the state’s idea of the limits of the memory movement’s impact. In this context, it is difficult to plead that the crimes of Francoism are an issue that considers a broader collective and should not be dealt with ‘internally’ by associations of relatives themselves. Therefore Navarro rightly called on the memory movement during the celebration of ten years of ARMH to send a clear message that it does not stop with disinterring the dead (“*no basta con desenterrarlas*”): “reburying the dead is not the end, but the beginning. [...] We need to investigate the killings. It is not charity that we want, nor empathy, but justice, and not only for ourselves.”<sup>336</sup>

The kind of ‘privatization’ that is condemned on all fronts of the memory movement is the use of mass graves for financial profit. While exhumation organizations in other countries, such as Peru, sometimes organize internships or summer schools for international students as a way to collect funds, in Spain the teams emphasize that volunteers should not pay anything. Exhumations should be paid for by the state, not by volunteers or relatives and not left to the private market. The associations condemn strongly that in some cases, private companies are dealing with human-rights violations.<sup>337</sup>

When we wonder by whom acknowledgment is given, the question of the role of the perpetrators in the current politics of memory arises. Both the state’s ‘Law on Historic

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<sup>333</sup> Javier Mestre, “Una exhumación frustrada o la transición española como neurosis obsesiva,” *Rebelión*, March 29, 2010, accessed May 29, 2014, <http://www.rebelion.org/noticia.php?id=103173>; Renshaw, *Exhuming Loss*. This issue will be further discussed in Chapter 6.

<sup>334</sup> See, for instance, Tremlett, *Ghosts of Spain*, 17.

<sup>335</sup> Viçenc Navarro, public lecture, audio-recording, Commemoration 10 years ARMH, Ponferrada, October 24, 2010; Also see Etxeberria, lecture, Madrid.

<sup>336</sup> Navarro, lecture, Ponferrada.

<sup>337</sup> Cabrera, “Privatización;” Conversation with ARMH team, fieldnotes, Puebla de don Rodrigo, May 2011.

Memory' and the practice of exhumations are examples of the victim-centred choice of transitional justice that examines the violent past through the experience of the victims rather than through the crimes of perpetrators.<sup>338</sup> The focus on reparations for the relatives of the victims, the prevalence of the humanitarian aim of the Spanish exhumations, and the absence of criminal investigations leaves the perpetrators out of sight in the public debate that the exhumation movement opened up. In the post-transition consensus, pointing out the persons responsible for crimes under Francoism is much less acceptable than claiming the right to a decent burial. During the exhumations in this study, names of those responsible for the killings were always said in hushed tones or surrounded by rumours of popular imaginations of justice, such as perpetrators who had been punished by dying sick and alone.

Legal charges against former Francoist responsible parties have been possible only in Argentina, so far without any collaboration on the part of the Spanish government to arrest the accused. During exhumations, provocations in general and provocations of supporters of Francoism or people related to those responsible for the killings are avoided, and people with a Francoist background usually stay away from the exhumations. The 'people's court' I mentioned earlier is a court of volunteers, since only persons with an interest in the exhumations show up. The timid intents of some Republican families in the past to reclaim stolen goods, such as clothes or bicycles stolen from someone killed, or to obtain a witness account in order to get a death certificate are not empowered by the law with judicial backing. Recognition of the Republican victims is reclaimed from within their memory communities, not given from the *milieu* of former Francoists.

The broad group of beneficiaries of the Francoist regime stays even more out of sight. The Francoist regime could only be established with a very wide social foundation, a group that benefitted from Francoism. During the violence, killers were financially rewarded or were able to confiscate goods of the victims; landowners regained the land they had lost in the Republican *Reforma Agraria*; and families loyal to the regime benefitted from the gradually growing social and economic stability of Spain under the dictatorship, from which anti-Francoists were excluded. The archives about people who denounced their neighbours stay closed. But also, confiscated land and goods, except for those of unions and parties, have not been not compensated.<sup>339</sup> Many of the top Spanish

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<sup>338</sup> Humphrey, "Law, Memory and Amnesty," 36.

<sup>339</sup> See Carlos Closa, "Spain," in *Encyclopedia of Transitional Justice*, ed. Lavinia Stan and Nadya Nedelsky (Cambridge: Cambridge University Press, 2012), 462.

companies that grew thanks to goods confiscated from Republican families or forced labour of Republican prisoners are not affected by the 'Law on Historic Memory.'<sup>340</sup>

The idea that the Civil War past should not be addressed in public, because it provokes division, remains strong. In this context, the type of abuses that are considered to be of collective concern and for which acknowledgement can be obtained is limited. Therefore, the exhumation associations mainly focus on rights that are widely respected in Spain, like the right to mourn a deceased relative. With the exhumations, the memory movement focuses on the extrajudicial killings in the Civil War and the post-war repression. This means that in the wake of the exhumations, the following abuses are discussed: the lethal violence of Francoist repression, the symbolic violence toward the dead that damaged the honour of Republicans and their descendants, and the continuous suffering of relatives caused by enforced disappearance and/or non-recognition of the Republican victims. These are specific abuses committed in the past, but with the conceptualization of the crimes as 'enforced disappearances' they are now also considered abuses that continue into the present. Socio-economic discrimination that continued during the dictatorship and that was never repaired is an issue that is far more difficult to address and that so far no one touches.<sup>341</sup> This means that, in the framework of John Torpey, the exhumations provide mainly commemorative reparations aimed at repairing symbolic violence affecting the families of killed Republicans, rather than anti-systemic reparations aimed at obtaining social justice.

To sum up, calling on the state to acknowledge the *represaliados*, can go in different directions. So far the exhumation associations have achieved the most success with a focus on the humanitarian aim of localizing and reburying relatives and calling upon the state to support this quest of families. If the exhumation movement will drive up its intent to judicialize the issue of Francoist repression, it might lead to retributive justice, and the forensic reports could be considered in court. Although support for this kind of commemorative and symbolic reparation from the state has been minimal, many Spaniards respect it, because it does not break radically with the conceptualization of Republican memory as a private right of victims of specific abuses.

A further step that proves to be much more provocative and actually impossible in the current Spanish context so far is to point to repair inequalities for which the state shares guilt, from which the whole society has benefited, or that still affect socio-economic inequality or democratic participation. This kind of anti-systemic reparation

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<sup>340</sup> Antonio Maestre, "Franquismo S.A," *La Marea*, November 20, 2014, accessed January 10, 2015, <http://www.lamarea.com/2014/11/20/franquismo-s/>.

<sup>341</sup> Renshaw points to another limitation of the exhumation campaign regarding the type of abuses addressed. She notes how non-lethal sexual violence against women does not find a space for expression in the exhumation campaign. See: Renshaw, *Exhuming Loss*, 69.

and social justice, however, is beyond the scope of the exhumations. ‘*Desfranquistizar*’ (de-francoisticizing) memory and society, a goal that many in the memory movement aim at, will not be obtained with exhumations alone.<sup>342</sup> Anti-systemic reparation and social justice would mean a thorough examination of the continuities of Francoism in the economic, social, cultural, political, and judicial architecture of Spain.

## 4.5 Conclusion: “The tip of the iceberg”

We started this chapter with the question of how, if the exhumations in Spain do not reveal much truth that was not already known, we could understand their impact. Now we can conclude that the Spanish exhumations go far beyond the forensic paradigm of truth-revelation versus forgetting. The rupture in collective memory the exhumations cause comes not merely from the revelation of unknown facts but also through the recognition of hitherto public secrets. The exhumations offer a new and powerful tool for communicating and disseminating local and familial knowledge about Francoist repression into the public sphere. This shifting of the boundaries between private and public memory can be regarded a real emancipatory move in Spain’s memory politics, since state commemoration policies in Spain have continuously ‘privatized’ the memory of the defeated, with the 2007 ‘Law on Historic Memory’ as a last culmination point. During Spain’s so-called ‘pact of forgetting,’ Republican memory was not so much forgotten as confined to the private sphere. The violence during the Civil War (1936–1939) was intentionally public, symbolic, and exemplary. This was followed by Francoist dyadic memory politics (1939–1975) that excluded the defeated victims from public mourning and commemoration, and by an Amnesty Law (1977) that assured that neither Spanish society nor state carried any collective responsibility for discrimination against the defeated.

The prohibition on mourning backfired, and, backed by the international transitional justice culture, a Spanish memory movement started to demand acknowledgement of the suffering of the victims of Francoism as a reparation measure from the state. The opening up of a public space and a public debate about the past is a clear break with the dominant memory politics in Spain before 2000. The exhumations, partially due to their unregulated and communal character, function as important steps in opening up the public secret of the mass graves and placing them on the public agenda. Indeed, not

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<sup>342</sup> Viçenc Navarro for instance talked about the need for “*desfranquistizar*” memory and mind: Navarro, lecture, Ponferrada.

only do the exhumations make the issue painfully visible but also the exhumation teams transform the space of the mass graves into a public and participatory space: the space is especially open to victims' relatives; the expert-practitioners deploy pedagogic techniques to translate their findings to the public; and the teams connect the local reality of the mass graves with international memory practices. Therefore I discussed how the procedures of the exhumations serve to undo part of the symbolic violence inflicted on the defeated by reconfiguring the dead, and how the new *milieu de mémoire* is a very important factor in mobilizing the knowledge that lingered in private circles as a 'hidden transcript.' This *milieu de mémoire* has created a safe and solidary environment where people can share knowledge and resources, a place where new possibilities for civic engagement are created. I described how the forensic investigations are only a part of the work that happens in the discursive space the exhumation movement opens up around the graves, that the impact of the memory practice of exhumations in Spain depends on the dynamics of the memory network, and that material remains such as the bones and objects in the graves are no guarantee for memory. Indeed, the mass grave in Priaranza has always been there, but Emilio Silva transformed it and made it a point of reference in memory politics, not only by exhuming it but also by making it the focal point of a social movement.

Although these aspects of the exhumations are crucial contributions to the process of acknowledging the suffering of the defeated, in the sense of admitting them into what is considered a collective responsibility, the exhumation movement is limited by the political will of the Spanish political leaders in both the socialist and conservative governments of the last decade. For lack of official coordination, the acknowledgement of the victims of Francoism goes in very different directions. The 'Law of Historic Memory' did only confirm Republican memory as a familial matter by 'outsourcing' the exhumations to the relatives and their associations. In the search for the memory of the defeated to become a collective, public memory, Narotzky and Smith rightfully argue that "the institutional fostering of alternative spaces" for the emergence of memories is crucial, and while the exhumations definitely foster those spaces, so far they remain unsituated.

The judicial character of the exhumations, the ritual aspects of the reburial, and the involvement of the local community and relatives make the exhumations a substitute mechanism of acknowledgement. The exhumations turn unconfirmed rumours into facts authorized by science, free the graves from their clandestine character, and give the victims recognition on different levels, both social and institutional. The bottom-up character of the exhumations has the advantage of being able to adapt work to very specific needs, but at the same time it is a symptom of the outsourcing and privatization of memory and the gap between a part of Spain's society and the state. Indeed, the need for state recognition of the victims is not answered by the civil-society-led exhumations. The forensic reports lack judicial backing to 'validate' the information

they dig up; the acknowledgement comes only from the ‘willing,’ in the sense that land owners cannot be forced to allow an exhumation on their land and perpetrators and beneficiaries are not affected by the exhumation process. The ‘public’ construed through the exhumations mainly consists of the *milieu de mémoire* of each exhumation association, which goes from communist militants, in the case of Foro, to the families of the victims and their local communities, in the case of the ARMH.

The memory movement, with its emphasis on the exhumations and on the right to mourning for the relatives, a widely respected value in Spain, mainly attains recognition for the lethal and symbolic violence of the *represaliados* in the mass graves. These are in the current political context interpreted as specific abuses against individuals and as a private matter of a right to mourn within certain families. In this political context, so far the exhumation movement has not been able, from below, to fully pierce the “curtain of privacy”<sup>343</sup> with which Republican memory is being continuously suppressed. For the same reason, the reparation obtained is limited to commemorative reparation aimed at repairing violence affecting the families of killed Republicans rather than anti-systemic reparations aimed at obtaining social justice. Some memory activists therefore plead for even more emphasis on the socio-political work around the exhumations. José Ignacio Casado of ARMH Burgos expressed this need as follows:

One of the weaknesses of this movement [...] is that we have been less social movement or socio-political movement than we should have. Because, among other things, the mass graves are the tip of the iceberg. Gradually, other processes have to come to the foreground. Because, either we are able to articulate networks, to continue the process, to collect resources and maintain independence, encourage discourse to emerge, do pedagogic work and projects of popularization and dissemination; either this, or we will not do politics, and by not doing politics each of us will stay isolated in our specific individual and familial process.<sup>344</sup>

The difference between commemorative and anti-systemic reparations, and the words about ‘politics’ of Casado, lead us to the last two chapters of this study. First of all, anti-systemic reparations aim for social justice, tackling socio-economic inequality that continues in the present, rather than retrospectively focussing on specific abuses in the

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<sup>343</sup> See: “Sometimes the struggle to define public and private involved asserting a right to privacy for people who had been denied it and the freedom it entails; at other times it meant piercing a curtain of privacy that kept oppressive relations from public view and judgement.” In: Martha Ackelsberg and Mary Lyndon Shanley, “Privacy, Publicity and Power: A Feminist Rethinking of the Public-Private Distinction,” in *Revisioning the Political: Feminist Reconstructions of Traditional Concepts in Western Political Theory*, eds. Nancy J. Hirschmann and Christine Di Stefano (Oxford: Westview Press, 1996).

<sup>344</sup> Casado, lecture, Madrid.



past. This clearly leads to different interpretations of the role of Spain's Republican past in the present. In Chapter 5, therefore, I take a closer look at the last building block of collective memory that this study analyses, namely, the politics of time at play in the Spanish mass grave exhumations. Do the exhumations reconfigure Spain's timeline, and in what sense? To put the crimes of Francoism on the public agenda, one of the biggest challenges is the passage of time, coupled with the strong idea, installed by the transition, that the Civil War has 'passed.' And once made public, the place of the Republican past on Spain's timeline can differ for different groups. On the one hand, the acknowledgement of the defeated gives way for the dead in the mass graves to become real ancestors for today's generations. For some, the reburials have indeed turned shame into pride and public action, and outcasts into examples for the present and future. Narotzky and Smith, for instance, point to the potential of public memory to become the basis for political agency if they become "points of connection" to serve as a guide for present and future. On the other hand, Helen Graham, for instance, hopes that public remembrance and recognition "permits, or liberates, the process of private forgetting," or the "necessary letting go."<sup>345</sup>

Second, the difference between the two types of reparations reveals a difference in which offenses are targeted by memory movements: crimes against individuals or crimes against collectives. This will be one of the issues addressed in the concluding Chapter six, which discusses, amongst other things, how individual or collective representation and representatives of the victims leads to different representations of the Civil War past in the context of the exhumation movement. My analysis so far makes it clear that for many onlookers, the exposed mass graves give some sort of a view on the past. But what kind of history do the exhumations tell us, what kind of history do they make public? Behind the images and impressions of the remains, what representation of the past is the exhumation movement constructing? A history of suffering or struggle, of individuals or collectives? The answers to these questions will complete my answer to the main question of this study, what history comes from the Spanish graves?

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<sup>345</sup> Graham, "The Return of Republican Memory," 324.

## Chapter 5 Time: Breaking the foundational time of the Spanish transition

*“Because they did not have a trial, nor a lawyer, nor a sentence, [applause from the crowd], their daughters and sons, we continue to look for them. Hasta cuando (Until when)?” ‘El grito de Hilda’<sup>1</sup>*

### 5.1 Introduction: Conflicting historicities

In this chapter, I turn to yet another building block of collective memory, namely, the concepts of time that it deploys.<sup>2</sup> To answer my initial questions about what kind of history comes from the Spanish graves, I will analyse what kind of time concepts the exhumations construct with their practices and discourses. In doing so, I will pay attention the three levels of analysis in this study: local, national and global. In this chapter I explicitly situate the Spanish exhumation movement in the global “transitional justice culture.”<sup>3</sup> Of course, the national and local participants in the memory movement do not always consciously relate to this international memory

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<sup>1</sup> Hilda Farfante, public speech, audio-recording, Puerta del Sol, Madrid, June 2, 2011.

<sup>2</sup> This chapter is largely based on an article that was co-authored by Prof. dr. Berber Bevernage of my Doctoral Guidance Committee, whom I want to thank for this collaboration. This chapter is the result of the combination of my fieldwork with his expertise in transitional justice and philosophy of history and time. See Berber Bevernage and Lore Colaert, “History from the Grave? Politics of Time in Spanish Mass Grave Exhumations,” *Memory Studies* 7 (2014).

<sup>3</sup> Term from Stephanie Golob, “Evolution or Revolution? Transitional Justice Culture Across Borders” (working paper, number 3, Instituto de Políticas y Bienes Públicos (IPP), CCHS-CSIC, 2010); and Stephanie Golob, “Volver: The Return of/to Transitional Justice Politics in Spain,” *Journal of Spanish Cultural Studies* 9 (2008): 127.

culture, and furthermore, this international culture has its own internal differences, for instance between Argentina with its straightforward attack against impunity and countries such as South Africa with more emphasis on reconciliation. But a focus on the overlap between the Spanish memory movement and international trends can help us to situate and understand emerging trends in Spain. At the same time, a detailed study of a national case such as the Spanish one, with all its internal specificities and differences, can reveal unintended local consequences of international trends, or local alternatives that are often overlooked.

### 5.1.1 “Ya pasó:” The transition’s regime of historicity

In order to assess whether the Spanish exhumation movement engenders a rupture with the memory politics prevalent in Spain, in this introduction I first briefly discuss the ‘regime of historicity’ installed by the Spanish transition.

As described in the introduction of this dissertation, for many years, the ‘forget-and-forgive-approach’ of the Spanish transition to democracy (1975–1978), based on amnesty and a so-called “pact of silence,” served as a model for other transitions worldwide.<sup>4</sup> Spain’s successful shift from the Francoist dictatorship to democracy was often conceived as proving the viability of amnesty and amnesia in overcoming violent pasts.

The transition, with the constitution of 1978 as the new origin of the new democracy, became the new ‘zero time’ of the Spanish state. As Jo Labanyi describes aptly, “it was not, as is often argued, a determination to forget, but a decision not to let the past affect the future.”<sup>5</sup> After forty years in which Franco had kept the war “forever yesterday” by endlessly invoking his own ‘fallen for God and Spain,’<sup>6</sup> the foundational regime of historicity of the transition was the idea that the past of the Civil War, and the following Francoist dictatorship and anti-Francoist struggle, was ‘over and done with’ or *ya pasó*. With the Amnesty law, the past was institutionally declared ‘passed.’

Declaring all political division between the ‘two Spains’ as ‘passed’ shows signs of what Berber Bevernage calls “temporal manicheism” and “allochronism of the

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<sup>4</sup> See for instance Gregorio Alonso and Diego Muro, “Introduction,” in *The Politics and Memory of Democratic Transition*, ed. Gregorio Alonso and Diego Muro (New York: Routledge, 2010), 1–2; Paloma Aguilar, *Memory and Amnesia: The Role of the Spanish Civil War in the Transition to Democracy* (New York: Berghahn Books, 2002); Madeleine Davis, “Is Spain Recovering its Memory?” *Human Rights Quarterly* 27 (2005): 863–866.

<sup>5</sup> Jo Labanyi, “Memory and Modernity in Democratic Spain: The Difficulty of Coming to Terms with the Spanish Civil War,” *Poetics Today* 28 (2007): 89.

<sup>6</sup> Helen Graham, review of *Franco’s Crypt: Spanish Culture and Memory since 1936*, by Jeremy Treglown, *The Guardian*, March 21, 2014, <http://www.theguardian.com/books/2014/mar/21/francos-crypt-spanish-culture-memory-since-1936-review-jeremy-treglown>.

present.”<sup>7</sup> By creating a ‘new Spain,’ the architects of the transition did not have to deal with legacies of a still very alive Francoism, such as political prisoners of ETA, extreme-right violence, political parties such as the Falange, etc. This means that any intent to re-engage with the Civil War past is an attack on the foundational time of the current Spanish democracy. It is in this context that the lack of state support for and opposition against the memory movement must be understood, since large parts of public opinion consider the exhumations to violate the transition’s reconciliatory spirit and the core of the Spanish democracy. It is therefore exactly because of the threatening politics of time of the memory movement that it has been accused of “anachronism” and “guerracivilismo.”<sup>8</sup>

### 5.1.2 “*Asunto pendiente*:” The TTC time of transitional justice

Due to the recent exhumation movement, international observers see the Spanish case increasingly as evidence of the dysfunction of the politics of forgetting installed in 1978.<sup>9</sup> As explained in the introduction of this dissertation, analysts now refer to Spain when promoting an active confrontation of the past as the appropriate procedure to put it to rest. This idea of the need for active confrontation of the past has, roughly since the 1980s, become a core premise of the worldwide field of transitional justice. Scholars such as Ruti Teitel and Berber Bevernage have argued that this transitional justice premise depends on, and at the same time reacts to, a particular “non-linear” concept of time in which the past, so to speak, gets stuck in the present.<sup>10</sup> I elaborate on this thesis by describing this notion of temporality, (consciously or unconsciously) adopted by transitional justice practitioners and theorists, as trauma-therapy-closure time (henceforth TTC time). It has become common sense among transitional justice practitioners to describe violent pasts in psychopathological terms as “traumatic” and therefore in need of therapy and, eventually, closure. I speak about this threefold sequence in terms of ‘time’ for two reasons. First to demonstrate how it is commonly perceived as a sequence that has to be worked through step by step and chronologically.

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<sup>7</sup> Berber Bevernage, “The Past is Evil/Evil is Past: On Retrospective Politics, Philosophy of History and Temporal Manichaeism,” *History and Theory* (Unpublished paper, forthcoming), s.p.

<sup>8</sup> These and other accusations can be found in Francisco Ferrándiz, “Fosas comunes, paisajes del terror,” *Revista de Dialectología y Tradiciones Populares* 64 (2009): 80.

<sup>9</sup> Scholars like Madeleine Davis argue that the rupture of the Spanish ‘pact of forgetting’ undermines the model of the Spanish consensus based transition, and reveals “that a society cannot indefinitely avoid coming face to face with past trauma: Madeleine Davis, “Is Spain Recovering its Memory? Breaking the Pacto del Olvido,” *Human Rights Quarterly* 27 (2005): 880.

<sup>10</sup> Ruti G. Teitel, “Transitional justice genealogy,” *Harvard Human Rights Journal* 16 (2003): 86; Berber Bevernage, *History, Memory, and State-Sponsored Violence: Time and Justice* (New York: Routledge, 2012), 13–14.

Second in order to highlight its ambiguous relationship to nonlinear temporal experiences – recognizing their existence but considering them pathological. In the TTC time framework, the traumatic past does not go away with the passing of time but inevitably remains present if not actively addressed. Since this continuing presence of the past is considered pathological, therapy is needed. Remembrance and revelation of “truth” are considered the proper way to cleanse and eventually close the past’s “festered wounds.” As Desmond Tutu expresses the idea, only after having “looked the beast of the past in the eye,” can the door on the past be shut.<sup>11</sup> With this closure, linear time is set straight again.

In Spain, the thesis of TTC time, and especially the idea that therapy needs to be provided to obtain closure and prevent the past from returning, seems at first sight to be confirmed by the recent rise of the movement for the ‘recovery of historic memory.’ The recent turn in Spain’s memory politics has been called the “mass grave phenomenon,”<sup>12</sup> and is indeed spearheaded by exhumation organizations. Although I said earlier that the memory movement organizes many activities such as protests and tributes, in the context of this chapter, it is important to note that it is exactly the practice of the exhumations that has come to function – both in public opinion and academic analysis – as a symbol of TTC time. I also recognize some aspects of TTC time in the discourse of the ARMH, which is, together with Aranzadi, the most influential exhumation group.

ARMH members and sympathizing intellectuals often present mass graves in pathological terms as sites of traumatic memory. Espinosa Maestre, for instance, a historian involved in different initiatives of the memory movement, interprets the presence of unexcavated mass graves as symbolizing a past that was not properly dealt with and got “stuck” in the present.<sup>13</sup> According to the ARMH, Spain’s captured memory can only be freed by a second ‘memorial’ transition that now really breaks with the Francoist past, and recovers and speaks out the truth. Since “one cannot escape from the past,” such an “awakening”<sup>14</sup> of memory, according to the ARMH, is also “logical,” “normal,” and “natural.”<sup>15</sup>

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<sup>11</sup> Desmond Tutu, *Report of the Truth and Reconciliation Commission of South Africa (Volume 1)* (Cape Town, 1998), 22.

<sup>12</sup> Fernández de Mata, “The ‘logics’ of violence,” 2527.

<sup>13</sup> Francisco Espinosa Maestre, “De saturaciones y olvidos,” *Hispania Nova* 7 (2007): s.p.

<sup>14</sup> Emilio Silva, “La tierra ya no duerme,” in *La memoria de la tierra: Exhumaciones de asesinados por la represión franquista*, eds. Clemente Bernad and Eloy Alonso (Madrid: Editorial Tébar, 2008), “La tierra,” 14.

<sup>15</sup> Alejandro Rodríguez (ARMH volunteer), interview during exhumation, video-recording by Sarah Vanagt, Chillón, November 3, 2011; José Guillermo Fouce (psychologists without borders Madrid working with the ARMH), public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010; Emilio Silva, cited in Vicky Bolaños, “Jueces e historiadores reclaman en Ponferrada que se investiguen los crímenes del franquismo,” *RTVE*, October 24, 2010, accessed June 28, 2012,

Indeed, “normalizing” the past by breaking the “taboo” is, according to ARMH president Emilio Silva, the “biggest victory” of the Spanish exhumation campaign.<sup>16</sup> As he says, “the first exhumation broke with silence,” and since then “the truth concealed by Francoism started to come to light.”<sup>17</sup> Although this process of breaking silence can be painful, the ARMH believes the exhumations eventually serve as collective “therapies.”<sup>18</sup> Fernández de Mata, an anthropologist who has worked in several exhumations, also defends this idea: “Part of the pain contained in the memory generated by trauma is somehow exorcised when, like a skeleton in a grave, it is unearthed [...] A true logo therapy takes place.”<sup>19</sup>

This therapy of truth-revealing ultimately serves closure. The link between revelation and closure is clearly expressed in the title of a 2008 Amnesty International manifesto about Spain, often quoted by memory campaigners and attributed to Louis Joinet, a United Nations Special Rapporteur: “you need to read the page before turning it.” The memory movement clearly breaks with the regime of historicity installed by the transition by bringing the past from ‘passed’ to the present. While the political right in Spain argues that the memory movement “reopens old wounds,”<sup>20</sup> the ARMH, to the contrary, claims that the past has not passed yet. Aranzadi forensic doctor and organization president Francisco Etxeberria as well stresses that the memory movement is not about “historical facts of the past, but about issues of the present,” since “there are still persons that don’t know what happened to their parents, grandparents or siblings.”<sup>21</sup> The exhumation movement is convinced that its campaign is needed precisely because it closes “a door” or “a pain.”<sup>22</sup> Although the ARMH does not foresee a concrete end to its exhumation campaign, the idea of a pending and necessary

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<http://www.rtve.es/noticias/20101024/jueces-historiadores-reclaman-ponferrada-se-investiguen-crimenes-del-franquismo/364399.shtml>.

<sup>16</sup> Emilio Silva, email-interview, August 15, 2010.

<sup>17</sup> Silva, “La tierra,” 14.

<sup>18</sup> ARMH, *La exhumación de “Los trece de Priaranza” octubre año 2000* (2011), documentary, 58 min. Online audio-visual file, accessed June 27, 2012, <http://www.youtube.com/watch?v=CxB1kDkx4Ww&feature=g-all-u&context=G273da2bFAAAAAAAGAA>.

<sup>19</sup> Ignacio Fernández de Mata, “The rupture of the world and the conflicts of memory,” in *Unearthing Franco’s Legacy*, eds. Carlos Jerez-Farrán C and Samuel Amago (Notre Dame: University of Notre Dame Press, 2004), 295.

<sup>20</sup> See, for instance, Mariano Rajoy (PP, president of Spain since 2011), cited in Agencias, “Rajoy: “Abrir heridas del pasado no conduce a nada,” *El País*, September 2, 2008, accessed June 27, 2012, [http://elpais.com/elpais/2008/09/02/actualidad/1220343425\\_850215.html](http://elpais.com/elpais/2008/09/02/actualidad/1220343425_850215.html); Silva, 2011: 14.

<sup>21</sup> Francisco Etxeberria, cited in “Boletín de las actividades cotidianas de Cursos de Verano UPV/EHU Uda Ikastaroak,” *ehusfera*, accessed December 1, 2014, <http://www.ehu.es/ehusfera/uik-cverano/2014/07/17/francisco-etxeberria-la-memoria-historica-no-habla-de-acontecimientos-historicos-del-pasado-sino-que-se-ocupa-de-asuntos-del-presente/>.

<sup>22</sup> Psychologist Raúl de la Fuente (ARMH volunteer), cited in Diana Martínez, “En las fosas no hay política, hay humanidad,” *La Crónica*, March 23, 2012, 18.

closure is inherent in its practice in which each single exhumation is followed by a reburial.

### 5.1.3 Politics of time

Because TTC time in Spain is presented as natural and logical, the “politics of time” conducted by memory activists is not always recognized. I will contend, however, that by actively constructing and disseminating the TTC notion, the ARMH does engage in politics of time, defined by philosopher Peter Osborne as “a politics which takes the temporal structures of social practices as the specific objects of its transformative (or preservative) intent.”<sup>23</sup> Since academics working on the Spanish exhumation movement seldom question the allegedly natural character of the temporal sequence of trauma, therapy, and closure, they tend to solely discuss the party political dimensions of exhumations and ignore these more implicit political dimensions. These dimensions are crucial to answer my question about ‘what kind of history’ the exhumations generate.

In this chapter I therefore want to question the allegedly natural and teleological character of transitional justice discourse and TTC time. Although I recognize the psychological trauma that can be experienced by victims of Francoism, and the affective closure that can be obtained on the individual and familial level after exhumation and reburial, I will conduct a critical analysis of transitional justice discourse and its idea that the recognition of collective trauma, provision of therapy, and striving for closure is the only possible or legitimate way of dealing with violent pasts. In order to do so, I will first demonstrate that the transitional justice vision of time, far from being experienced as natural or logical, is sometimes contested, not only by persons supporting public forgetting but also by groups supporting remembrance.

Although contestations of TTC time can be found throughout the Spanish memory movement, in this chapter two specific cases will be discussed. The first is the case of the relatives of Juan García (one of the nine victims of Francoism in the mass grave in Chillón), who oppose an ARMH exhumation. Second, I describe how the association “Federación Estatal de Foros por la Memoria” (henceforth “Foro”), while it also exhumes mass graves, does not share the ARMH’s therapeutic approach.<sup>24</sup> In the next part of the chapter, I try to understand why, if the TTC interpretation of the exhumations is contested, it has gained predominance. To answer this question, I return

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<sup>23</sup> Peter Osborne, *The Politics of Time* (New York: Verso, 1995), xii.

<sup>24</sup> In this chapter I draw explicit contrasts between the ARMH and Foro. However, this distinction is only this binary as an analytical tool; in reality, the different politics of time are adhered to within both associations. Moreover, neither ARMH nor Foro are homogeneous groups: local dynamics differ from national ones. In this study, I mainly discuss the national ARMH and Foro.

to the pedagogic aspect of the exhumations described in the previous chapter but focus specifically on how the ARMH constructs its particular concept of time.

This chapter thus still focuses on the case of Spain but aims to demonstrate how the relatively new phenomenon of transitional justice and its notion of TTC time are disseminated on a local level. I believe that the hegemony of international transitional justice discourse and its ideas about time and on ‘proper’ ways of remembrance is so strong that it has become a common notion that can hardly be questioned. Far from criticizing the exhumation movement or favouring one organization over another, the aim of this chapter is to show that the use of some of these temporal notions by local organizations can have important, although sometimes unintended, political implications. As already demonstrated in the chapters on the forensic turn and acknowledgement, aligning with some aspects of internationally dominant transitional justice discourse can be very important in confronting the continuous opposition that local memory organizations in Spain face. However, I believe that this alignment could form a threat for the political aspirations of the memory movement for Spain in the longer run.

By studying the connection between time or historicity and dealing with the dead, I finally return to my initial question of ‘what history comes from the Spanish graves?’ More specifically, this chapter contributes to the discussion in philosophy of history on the link between history and death a discussion that until now has not differentiated enough between different ways of experiencing history and specifically historical time, and lacks sound empirical foundation. In this chapter, I will empirically test Ewa Domanska’s interesting thesis that “history begins in the grave.” For Domanska, the discourse of death is a historical discourse:

Indeed when speaking of the dead body, we touch the very essence of historical discourse which, arguably, originates from the contemplation of dead body. Without death there would be no history. History feeds on death.<sup>25</sup>

I will argue that historicity and death are indeed related but that this relationship is not unequivocal. On the contrary, as I will show, subtle differences in exhumation practices and discourses can lead to radically different visions of time, history, and memory. In this chapter I therefore highlight some of the differences between the many diverse national and local organizations in the Spanish memory movement. I will show how, even though all the Spanish associations advocate the right of survivors to know what happened and the restoration of the republican victims’ dignity, they all have different aims and work in different ways.

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<sup>25</sup> Ewa Domanska, “Toward the archaeontology of the dead body,” *Rethinking History: The Journal of Theory and Practice* 9 (2005): 398.



## 5.2 TTC time contested

“Wir waren tot und konnten atmen.”  
(We were dead and we could breathe)  
Paul Celan, *Mohn und Gedächtnis*, 1952<sup>26</sup>

As mentioned above, exhumations are sometimes contested. Francisco Ferrándiz summarized some of the polemics surrounding the Spanish exhumations. He shows how some memory organizations, for various reasons, prefer to preserve mass graves as evidence and consider horrific images of bones a sign of disrespect toward the dead.<sup>27</sup> This chapter, however, does not consider opposition to exhumations in general but focuses on opponents of the notion of time that comes with ARMH exhumations.<sup>28</sup>

### 5.2.1 Trauma or useful reminder?

In Chillón, I came across this kind of contestation. In 2009, two historians of Chillón published a book on the nine local men killed by Francoist militia at the field called ‘the Contadero’ in 1939.<sup>29</sup> During the presentation of the book, the historians suggested exhuming the victims. Yet the García family contested the exhumation. One of the granddaughters of the murdered Juan García read aloud an open letter describing how her family commemorates her grandfather every November 1 (All Saints’ Day) at the mass gravesite and how the families erected the monument there in 1988, which is

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<sup>26</sup> Alfredo González-Ruibal uses this quote in a study on the economy of punishment inflicted on the bodies of the vanquished in Spain. I think it reflects the unequivocal and diverse time politics related to death, at once referring to the past and reality, at other times to future and utopia. See Alfredo González-Ruibal, “Absent Bodies: The Fate of the Vanquished in the Spanish Civil War,” in *Bodies in Conflict: Corporeality, Materiality, and Transformation*, ed. Paul Cornish and Nicholas J. Saunders (Abingdon: Routledge, 2013), s.p.

<sup>27</sup> He mentions the Association Archive War and Exile (AGE) and the Association of the Friends of the Grave of Oviedo (AFAFC). See Francisco Ferrándiz, “Exhumaciones y políticas de la memoria en la España contemporánea,” *Hispania Nova* 7 (2007), s.p.; Also see Fernández de Mata, “The Rupture of the World,” 296.

<sup>28</sup> In the work of Zoe Crossland, Koen Aerts and Berber Bevernage, and Renshaw, we find similar resistances to trauma time – and especially its notion of closure or “exorcism” of the haunting past – in Argentina, South Africa, and Belgium. See Zoe Crossland, “Violent spaces: conflict over the reappearance of Argentina’s disappeared,” in *Matériel Culture: The archaeology of Twentieth Century Conflict*, eds. John Schofield, William G. Johnson, Colleen M. Beck (London & New York: Routledge, 2002); Koen Aerts and Berber Bevernage, “Haunting pasts: time and historicity as constructed by the Argentine *Madres de Plaza de Mayo* and radical Flemish nationalists,” *Social History* 34 (2009); Bevernage, *Time and Justice*, 62–64; Layla Renshaw, “Missing bodies near-at-hand: The dissonant memory and dormant graves of the Spanish Civil War,” in *An anthropology of absence: Materializations of transcendence and loss*, eds. Mikkel Bille et al. (New York: Springer, 2010), 49–51.

<sup>29</sup> Jerónimo Mansilla Escudero and Luis Miguel Montes Oviedo, *El crimen de El Contadero: Los nueve asesinados de Chillón (3 de junio de 1939)* (Chillón: Jerónimo Mansilla Escudero, 2009).

regularly visited and hosts a yearly commemoration by the local socialist party. The granddaughter explained how her father believed the bodies had to stay where they were as a “testimony” to future generations.<sup>30</sup> In an interview, her father indeed stated that reburying the victims in the cemetery “to him would equal forgetting.”<sup>31</sup> During the presentation of the book, however, some families were in favour of exhuming. The Garcías therefore gave in and allowed an exhumation request to be sent to the ARMH.

In October 2011, the ARMH arrived in Chillón and held a town meeting before starting to dig. At this meeting, the García granddaughters again took the floor (see fig. 11). They questioned the exhumation’s healing aspect, explaining that the process looked “very painful” to them and that they preferred not to know more than was already known about the murdered. Moreover, they considered the monument and commemorations a proper way to remember: “This is not a mass grave. I consider this sufficiently remembered,” one of the granddaughters said. She turned to her fellow villagers:

Do you really think we will give them a *plus*, another character or more dignity than they already have by moving them to another place? [...] According to me, if we divide them over the cemetery, they will be just some other dead, while to us they are not just like other dead [...]. That is why they are better of where they are.<sup>32</sup>

That same afternoon, the ARMH started excavating while the García granddaughters observed them suspiciously. The Chillón case not only shows that not everyone considers exhumations the “proper,” let alone the only possible, way to remember the dead. It also contradicts some of the assumptions of TTC time that characterize part of the discourse of transitional justice and the ARMH. First, it counters the dominant idea that the existence of unexcavated mass graves necessarily implies that the past is traumatic and has not been properly dealt with. Indeed, as described in 4.3.5., far earlier than 2000, victims’ relatives in Chillón constructed a *lieu de mémoire* at the mass gravesite and organized commemoration practices there. The murder was well known to the villagers because of oral testimonies, and because in 2009 it was described in the book of Mansilla Escudero and Montes Oviedo. As explained in 4.2.3., while public commemoration of the Civil War was generally repressed or discouraged by local and national political elites even after the transition, Chillón’s situation is not unique. In many villages, people already during the period of the “pact of silence” paid tribute to

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<sup>30</sup> Carmen García (granddaughter of one of ‘the nine’ in Chillón, pseudonym), “Dedicatoria: A mi abuelo,” open letter, Almadén, 2009.

<sup>31</sup> Valentín García (1930, oldest son of one of ‘the nine’ in Chillón, pseudonym), interview conducted by Jorge Moreno and me, audio-recording, Almadén, November 15, 2011.

<sup>32</sup> Carmen García, public speech, video-recording by Sarah Vanagt, town meeting, Chillón, October 25, 2011.

their victims with flowers or mourning rituals often performed at the mass graves. Even if these practices were, as I explained, usually private, held in a clandestine atmosphere, and of limited scope, they do undermine the widespread idea that prior to the ARMH's foundation in 2000, there was only silence and trauma.

The discussed case also modifies once again the dominant idea that the exhumations finally reveal the truth hidden by Francoism and the 'pact of silence.' In Chillón, the exhumation did not provide much new knowledge about the location of the grave or about the number and identity of the victims. The exhumation indeed mainly confirmed and acknowledged information that was already found in archives and oral testimony.

Another, related aspect of TTC time in ARMH discourse is the idea that a second 'memorial' transition is needed. Again Chillón illustrates that this idea is not present in all villages prior to contact with the excavation team. In this way the case undermines the seemingly teleological character of the need for the completion of the transition.

Finally, the case disproves that therapy and closure are the only alternatives to the *ya pasó* attitude. The letter of the Garcías shows how, prior to the exhumation, not all victims' relatives agree about being in need of therapy and closure. On the contrary, they consider the memory of their grandparents and parents something to be proud of and a useful reminder for future generations to fight injustice.

As said earlier on, the Garcías and some other families who had mixed feelings about the exhumation did not impede the process, out of respect for the families who were in favour. "I did not want to be the only disagreeing factor," Valentín García said.<sup>33</sup> During the town meeting, the other families promised the Garcías that the nine victims would be buried together in the cemetery to preserve the collective aspect of the commemorations they had constructed over the years, and that the commemorative plaque that had been attached to the deconstructed monument at the mass grave site would be recycled.

Once the exhumation started, the Garcías actually became the most closely involved family, and by the end of the exhumation they seemed to have revised their opinion (see fig. 42). The fact that they were present during the first days of the exhumation did not mean they had already changed their opinion. On the contrary. But this way they got to know the volunteers, their commitment to the cause, and their respect for the victims and their families. In a guestbook that was put at the gravesite during the exhumation they penned their gratitude towards the ARMH and referred to something that one of the archaeologists had said during the town meeting: that the victims would finally rest on a spot that was chosen by their relatives and not by their murderers. This is an example of how relatives indeed often start repeating the ARMH's discourse during an exhumation and write 'proper' testimonies in the guestbook. Yet in a longer

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<sup>33</sup> Valentín García, interview by Jorge Moreno and me, audio-recording, Almadén, November 15, 2011.

interview with the Capilla granddaughters on one of the last days of the exhumation, the granddaughter who had written the open letter said that, although she initially considered the monument a good way to acknowledge the crime but, she had completely changed her mind on that issue. “[...] Now I realize that I was mistaken, now that I have seen how they lay there, on a pile, thrown together like dogs. Now I am really relieved that they take them out of there.”<sup>34</sup> Their ageing fathers, the two sons of the murdered Juan García, became active participants in the exhumation as well. One of them even drove daily by himself to the grave, a hazard on the tracks. When one day he climbed down in the grave, assisted by his grandson, he told the archaeologists that “they need to be worthy, to do this kind of work,” and he thanked them “very very very much” (See fig. 43).

### 5.2.2 Redemption or regeneration?

If in Chillón the Garcías opposed the exhumation, some groups contest not the exhumations themselves but particular discourses and practices around them. In Candeleda in May 2010, for instance, the ARMH got involved in a conflict with a local branch of the Foro. A Foro exhumation there was cancelled because local protagonists (the landlord, the mayor, and even some archaeologists hired by Foro) did not agree with Foro’s political rhetoric. The ARMH took over and claimed that Foro wanted to make “political promotion” “at the cost of the victims’ relatives.”<sup>35</sup> The Foro in its turn accused ARMH of “privatization of memory.” According to Foro member Javier Mestre, the dead belong to the struggle for the Republic and to *collective* memory, and therefore they cannot be claimed even by relatives.<sup>36</sup> According to Foro president José María Pedreño, leaving the fate of the dead in the hands of relatives and private associations such as ARMH equates to “burying memory.”<sup>37</sup>

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<sup>34</sup> García granddaughters, interview during exhumation, audio-recording, November 5, 2011, El Contadero, Chillón.

<sup>35</sup> See César Pérez et al., “Arqueólogos desplazados a Candeleda puntualizan detalles sobre la cancelación de la exhumación prevista a fusilados en la guerra civil,” *Rebelión*, April 26, 2010, accessed May 29, 2014, <http://www.rebelion.org/noticia.php?id=104137>; Javier Mestre, “Una exhumación frustrada o la transición española como neurosis obsesiva,” *Rebelión*, March 29, 2010, accessed May 29, 2014, <http://www.rebelion.org/noticia.php?id=103173>.

<sup>36</sup> Mestre, “Una exhumación frustrada.”

<sup>37</sup> Cited in Ferrándiz, “Exhumaciones y políticas,” 2007.

This is just one example of the many conflicts between ARMH and Foro, and the tensions partly relate to differing visions of time.<sup>38</sup> Much like ARMH, Foro rejects the *ya pasó* argument that is often used to legitimize the amnesty arrangement and pact of silence. As a psychologist related to the *Foro* argues, the fact that something occurred a long time ago does not absolve it from being a crime.<sup>39</sup> “Neither is it valid,” Javier Mestre argues, “to say that the dead are already dead, that it happened long ago, that bygones are bygones.”<sup>40</sup>

The *Foro*, however, does not share ARMH’s use of TTC time. It puts less stress on the idea of collective trauma. If ARMH stresses the therapeutic value of exhumations, *Foro* primarily ascribes political rather than therapeutic value to exhumations.<sup>41</sup> Moreover, *Foro* does not strive for closure or for a second “memorial” transition as ARMH does. Rather, its political discourse is organized around a temporal notion of regeneration or renaissance that aims at nothing less than the return of the Republic.<sup>42</sup> For *Foro*, the history encountered in the mass graves provides clear lessons for present and future life: it is conceived of as a true teacher of life, *historia magistra vitae*. Dead republicans for *Foro* are sources of moral and political reference rather than objects of – in *Foro*’s words – “nostalgic commemoration.” Therefore, Pedreño assures that “*Foro* is not past, *Foro* is not nostalgia, *Foro* is present for the future.”<sup>43</sup> The contrast between ARMH’s TTC time and *Foro*’s “regenerational” time is most evident when *Foro* describes itself as “new popular front.”

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<sup>38</sup> On many other levels there are also important resemblances between both groups, as well as differences within each of them. As said, this chapter draws an analytical contrast between ARMH – with whom I did most of my fieldwork – and *Foro*, in order to disclose different politics of time.

<sup>39</sup> Silvia María Álvarez Merino, “El terror de la incomunicación: la repression que no acaba,” *Federación Estatal de Foros por la Memoria*, October 15, 2010, accessed January 9, 2015, <http://www.foroporlamemoria.info/2010/10/el-terror-de-la-incomunicacion-la-represion-que-no-acaba/> (accessed 15 March 2012).

<sup>40</sup> Mestre, “Una exhumación frustrada.”

<sup>41</sup> It needs to be emphasized, however, that the ARMH, in their activities outside of the immediate exhumation context, such as public homages, also stresses the need for justice and the recovering of the dignity and values of republicans.

<sup>42</sup> See, for instance, *Foro por la Memoria de Córdoba*, *Crónicas del silencio* (Foro: Santaella, Córdoba, 2004), documentary on exhumation, <http://www.foromemoriacordoba.org/?p=21>; Layla Renshaw points out that ARMH’s metaphors of planted seeds to describe bodies in mass graves also constitute a regenerational discourse. This aim of republican regeneration, however, is kept implicit, internal, or personal (e.g., on blogs of members rather than of the organization itself). Layla Renshaw, *Exhuming Loss: Memory, Materiality and Mass Graves of the Spanish Civil War* (Walnut Creek: Left Coast Press, 2011), 63, 144–145.

<sup>43</sup> Partido Comunista de Castilla – La Mancha, “Jose Maria Pedreño en el Homenaje a las víctimas del franquismo de Menasalbas,” *La Mancha Roja*, July 28, 2010, accessed May 20, 2013, <http://partidocomunistaclm.wordpress.com/2010/07/28/jose-maria-pedreno-en-el-homenaje-a-las-victimas-del-franquismo-de-menasalbas/>.

## 5.3 Disseminating TTC time

Above I have questioned the naturalness, universality, and teleological necessity of ARMH's notions of TTC time that posit the coming of a second "memorial" transition in Spain as a quasi-inevitable, therapeutic, and concluding complement to the transition of 1978. Yet I also wrote that ARMH often has eventually been successful in dealing with criticism. In Chillón, the Garcías eventually became supportive of ARMH's exhumation. In Candeleda, the dispute between ARMH and Foro was decided to the former's advantage. This is in line with the organization's relative success in gaining support and overcoming opposition in Spain. Therefore, it should be asked how ARMH could be so successful in disseminating its vision, especially of time. I explain this success by pointing first to the popular use of exhumations as master metaphors for proper remembrance, second to the representation and appropriation of the dead in a way that reinforces the alleged naturalness of TTC time, and third to a "mass grave pedagogy" that promotes norms about how to deal with the past.<sup>44</sup>

### 5.3.1 Exhumations and reburials as master metaphors for trauma, therapy, and closure

The success of TTC time is partly due to the use – not only by ARMH campaigners but also by academics, journalists, and artists – of exhumations and reburials as master metaphors for traumatic memory, therapy, and closure.

In order to claim that the past was not sufficiently dealt with during the transition and that Spain before 2000 suffered a collective trauma, memory campaigners often use mass graves as metaphors for traumatic memory.<sup>45</sup> Unexcavated graves are described in pathological terms as "open wounds" that "scar" the Spanish landscape.<sup>46</sup> The material permanence of mass graves serves well as a metaphor for the continuing presence of traumatic memory. Mass graves become a symbol for a past that is buried but lurking

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<sup>44</sup> It is important to remark that this analysis only considers effects of certain practices and discourses, which are not necessarily intentional.

<sup>45</sup> Psychologist Guillermo Fouce, who works with the ARMH, for instance calls the "situation" of the victims' relatives "pathological". He adds an important distinction, however, which points to the interesting diversity and dynamics within the ARMH network: only their situation is pathological, not how they handle it, and he stresses that he considers not them patients, but victims (public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010).

<sup>46</sup> See, for instance, Servimedia, "Fosas cerradas, heridas abiertas," *Público*, 24 January, 2012, accessed March 29, 2012, <http://www.publico.es/418442/fosas-cerradas-heridas-abiertas>; Silva and Macías, *Las fosas*, 119.

under the surface, “sleeping” and “waiting” to be awakened (*despertado*).<sup>47</sup> Their physical proximity, centimetres under the surface, is used to metaphorically stress how memory inevitably and almost automatically reappears. To quote Silva, “Spain is very fragile. One scratches a little in its past and it starts to break.”<sup>48</sup> As Layla Renshaw also demonstrates, the inevitability of the memory campaign is also suggested by the comparison campaigners sometimes draw between republican dead in mass graves and planted seeds.<sup>49</sup>

In order to illustrate that a second “memorial” transition can be realized through exhumations, the ARMH presents mass graves as containers of suppressed memory, places “where memory dwells,” or “pits of silence/memory.”<sup>50</sup> If mass graves serve as metaphors for suppressed memory, their exhumation stands for truth-revealing and remembrance. Exhumations are often interpreted as revealing “the concealed truth” and “unearthing memory.”<sup>51</sup> The dead and the earth themselves often seem to tell this truth, as in Silva’s quote, “the republicans that had lingered all those years in the mass graves [...] [started to] tell their histories, who they were, which ideas they held, how they got murdered, and how their families endured the repression of the dictatorship;”<sup>52</sup> or in a Facebook post from an ARMH supporter, “the earth is talking and you know how to listen to it.” As mentioned, the truth and remembrance aspects of the exhumations are considered therapeutic. And as a logical complement to notions of trauma and therapy, ARMH reburials tend to be associated with mourning and closure. Once the exhumation and reburial process is complete, ARMH claims to have helped “healing” or “closing” “open wounds.”<sup>53</sup>

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<sup>47</sup> Silva, “Niebla negra,” 11; Silva and Macías, *Las fosas*, 21; Also see Emilio Silva, “Mi abuelo también fue un desaparecido,” *La Crónica de León*, October 8, 2000. Accessed December 15, 2014. <http://www.emiliosilva.org/hace-diez-anos-al-pie-de-una-cuneta/>.

<sup>48</sup> Emilio Silva, Facebook post, August 2010.

<sup>49</sup> Renshaw, *Exhuming Loss*, 145.

<sup>50</sup> Montse Armengou and Ricard Belis, *Las fosas del silencio* (Spain: 30 Minuts and Televisió de Catalunya, 2003), documentary; Silva and Macías, *Las fosas*, 127.

<sup>51</sup> Emilio Silva, “Las fosas del franquismo, desenterrar la memoria.” *Cuadernos del Caum*, May 2007, 1th edition, 1–16, accessed December 15, 2013. [http://www.caum.es/CARPETAS/cuadernos/cuadernospdf/libro16/Fosas\\_del\\_franquismo.pdf](http://www.caum.es/CARPETAS/cuadernos/cuadernospdf/libro16/Fosas_del_franquismo.pdf).

<sup>52</sup> Silva, “La tierra,” 15.

<sup>53</sup> See, for instance, Silva and Macías, *Las fosas*, 119; ARMH, “12 años abriendo fosas, cerrando heridas,” *Astorga en Igualdad*, 2012, accessed June 12, 2012, <http://astorgaenigualdad.blogspot.be/>; José Guillermo Fouce (psychologists without borders Madrid, working with the ARMH), public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010; Santiago Macías, public speech, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010. Some ARMH supporters make the differentiation that they offer a kind of “normal companionship” in what they consider a “sane and rightful” process, rather than “therapy”; and that this closure is of a symbolic nature, rather than making up for the years of suffering (José

This popular use of mass graves, exhumations, and reburials as psychopathological metaphors has important consequences. The interpretation of mass graves as “open wounds” or as traumatic memory reinforces the perceived need to “repair” or “close” these wounds with a new transition. The reference to the presence of mass graves as metaphors for the inevitable and quasi-automatic reappearance of memory conceals the active role of “memory agents” and naturalizes TTC time. It restrains us in fully understanding that the course of events could have taken different directions in Spain. The “politics of forgetting” could have remained successful in representing the past as “passed” or other ways of dealing with the past – involving remembrance without therapy, closure, or even exhumations – could have gained predominance. Moreover, metaphors of “unearthing” and “revelation” sometimes overemphasize the truth-revealing aspects of exhumations, while in fact, exhumations in Spain often confirm pre-existing local knowledge or are in line with historical research carried out from before 2000 up until now.<sup>54</sup>

As I wrote in Chapter 4, I am convinced that exhumations are important in terms of acknowledgement, as the ARMH rightly stresses. I also believe they can stimulate critical collective memory. Yet this is not *automatically* the case. Foro spokesmen, therefore, rightly warn that “recovering cadaverous remains does not necessarily mean recovering memory; one can exhume victims’ remains and at the same time effect forgetting;”<sup>55</sup> and intellectuals supporting the ARMH also caution that “the digging” is not the end but the beginning and that it should be accompanied by a “correction” of history.<sup>56</sup> I do not accuse the ARMH of actually effecting forgetting, as the Foro clearly implies. Yet, as I already announced in the previous chapter, the link between exhumations and collective memory indeed depends upon the discourses and practices that accompany it. Ultimately, equating exhumations with truth and remembrance – and the absence of exhumations with ignorance and forgetting – leaves little space for other memory practices such as the ones in Chillón, and it reinforces the problematic idea that before the first scientific exhumation in 2000 there was only silence and trauma.

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Ignacio Casado (ARMH Burgos) and Guillermo Fouce, public lectures, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010).

<sup>54</sup> Carolyn P. Boyd, “The politics of history and memory in democratic Spain,” *Annals of the American Academy of Political and Social Science* 617 (2008); Julius Ruiz, “Seventy years on: Historians and Repression during and after the Spanish Civil War,” *Journal of Contemporary History* 44 (2009).

<sup>55</sup> Federación Estatal de Foros por la Memoria. “Arqueología contra la impunidad,” *Rebelión*, April 20, 2010. Accessed September 1, 2014, <http://www.rebelion.org/noticia.php?id=104415>.

<sup>56</sup> Viçenc Navarro, public lecture, audio-recording, Commemoration 10 years ARMH, Ponferrada, October 24, 2010.



### 5.3.2 Appropriation of the dead through affective familial bonds

One outspoken difference between ARMH and Foro is the way they represent the dead (what I call ‘privileged representations’ of the dead) and the way they appropriate the dead or make claims about who can speak for them (what I call ‘privileged representatives’ of the dead).<sup>57</sup> The issue of privileged representation and representatives is a prominent feature of the tensions between the two organizations and partly relates to different visions of time.

According to Foro, ARMH depoliticizes the dead by representing them as lost family members (e.g., grandfathers or fathers) whose best representatives are their surviving relatives, rather than as fallen republicans who can best be represented by the political heirs of their struggle. When speaking about the dead, Foro uses political titles, such as *compañeros* or *camaradas*, instead of terms referring to blood ties. For Foro, ideological ties are at least as important as, or even more important than, blood ties. Addressing the dead after an exhumation in Menasalbas, for example, Jose Maria Pedreño spoke the following words:

Dearest comrades: and I call you comrades, because [...] I do not share the same blood with you, but, nevertheless, my mind is inhabited by the same ideas of Justice and Liberty that inhabited yours. It is not the same as saying son, grandson, brother or nephew [...] Although it is almost the same as relative because for us, and for you, saying comrade is sharing ideas and struggle for a better world [...].<sup>58</sup>

At the grave of the “five of Celorio” (Asturias), two Foro archaeologists uttered similar words, saying that “we are no grandchildren or children [...] but we are something important [...] *compañeros*,” and claiming that in order to exhume a grave, “consent of the relatives is important but not necessary.”<sup>59</sup> Foro recognizes the suffering of relatives, but considers this mere fact insufficient to entitle them to represent the dead.

Typically, Foro resists discourses that put too much stress on victimization by, for example, stressing the innocence of victims. The republican dead, it is argued,

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<sup>57</sup> For this distinction specifically I am indebted to Berber Bevernage, the co-author of the article that is the basis of this chapter: Bevernage and Colaert, “History from the Grave.”

<sup>58</sup> Jose Maria Pedreño, “Carta a los camaradas asesinados en Menasalbas,” *Federación estatal de foros por la memoria*, July 16, 2011, accessed January 9, 2015, <http://www.foroporlamemoria.info/2011/07/carta-a-los-camaradas-asesinados-en-menasalbas/>.

<sup>59</sup> Federación Estatal de Foros por la Memoria, *Los 5 de Celorio* (2006), documentary, accessed January 9, 2015, <http://www.celoriu.com/2010/11/27/celoriu/los-cinco-de-celorio/>.

were not assassinated, imprisoned or exiled due to personal rancor, coincidences or envies, as they have always tried to make us believe. It is sure they were not innocent: they were absolutely guilty of having desired and struggled for a better world.<sup>60</sup>

It is assured that the republican dead were killed not “for being victims” but “for being combatants” and that they should consequently be remembered as such.<sup>61</sup>

Although the ARMH seldom publicly reacts to Foro criticism, their overall position is that nobody can claim a monopoly on representing victims.<sup>62</sup> Yet, although the organization does this less explicitly and unequivocally than Foro, ARMH also engages in a particular representation of victims. Its representation, as Layla Renshaw has argued, tends to individualize or privatize the victims of the defeated to the level of the family rather than the broader collective and, to a certain extent, also depoliticize them.<sup>63</sup> Especially when it comes to privileged representatives, it is clear that ARMH favours blood ties over ideological ties. The ARMH gives relatives the control over the exhumation, reburial, and homages and claims that the dead belong in the first place to the relatives.<sup>64</sup> Generally, ARMH tends to privilege representations that depict the dead as fathers or grandfathers rather than combatants, and they pay a lot of attention to testimonies of surviving relatives (often widows), who tend to become the main symbol of victimization, even more so than the dead themselves.

There are several plausible explanations for the ARMH’s focus on blood ties. Beyond a genuine respect of ARMH volunteers for the affective bonds between villagers and their perished relatives, one explanation is that the focus on family values and on the universal right of relatives to bury their dead offers a position that is less open for contestation than Foro’s explicitly political representation of the dead. The continuing power of conservative political factions makes addressing the past far from self-evident in Spain, and in this context referring to widely shared values is less provocative.<sup>65</sup>

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<sup>60</sup> Federación Estatal de Foros por la Memoria, “Menasalbas (Toledo), 16 Julio de 2011,” July 15, 2011, accessed January 9, 2015, <http://www.foroporlamemoria.info/2011/07/menasalbas-toledo-16-de-julio-de-2011/>.

<sup>61</sup> Pedro A. García Bilbao, “A la Brigada de la Fosa de Menasalbas,” *Federación Estatal de Foros por la Memoria*, July 25, 2010, accessed January 9, 2015, <http://www.foroporlamemoria.info/2010/07/a-la-brigada-de-la-fosa-de-menasalbas/>.

<sup>62</sup> Ferrándiz, *Exhumaciones y políticas de la memoria*, 30.

<sup>63</sup> See Layla Renshaw, *Exhuming Loss*. This depoliticizing effect is not perceived as such by the ARMH itself, however; ARMH often refers to itself as *político* but not *partidista*.

<sup>64</sup> See, for instance, Juan (ARMH volunteer), interview during exhumation, video-recording by Sarah Vanagt, Chillón, November 3, 2011.

<sup>65</sup> This is in line with the research of Paloma Aguilar et al. who demonstrated that in Spain, “less aggressive” transitional justice policies such as withdrawing Francoist symbols are more widely supported than “more risky” measures such as trials. See Paloma Aguilar et al., “Determinants of attitudes toward transitional justice: An empirical analysis of the Spanish case,” *Comparative Political Studies* 44 (2011): 1420.

However, the focus on blood ties also reinforces ARMH's vision of time. Clearly there is a close link between the focus on surviving relatives and the focus on trauma and therapy. Yet the most important link between ARMH's stress on blood ties and their conceptualization of time is provided by the mediating concept of 'generations.' Generational thought figures prominently in the discourse of ARMH and its observers in media and academia. Printed T-shirts declare that they are "grandchildren of peace" (see fig. 44), the debt of Spanish society is defined as one of a generation of grandchildren,<sup>66</sup> and a famous slogan goes "why have the fathers of the transition left my grandfather in the ditch?"<sup>67</sup>

Together with the focus on blood ties, the reference to generations naturalizes the threefold temporality that characterizes ARMH's TTC time: it at once explains why it took so long before the second "memorial" transition could be initiated, why it inevitably had to happen now, *and* why it can be expected to come to a closure in the near future.<sup>68</sup> As becomes clear from the slogan cited above – "why have the fathers of the transition left my grandfather in the ditch?" – the self-circumscription of ARMH as being a generation of grandchildren does refer not only to a (real or symbolical) kinship relation to a generation of dead grandfathers but also positions ARMH, by means of a reference to a (real or symbolical) relation with an intermediary generation of fathers, in relation to the democratic transition. Central to this generational representation of recent Spanish history is the idea that the architects of the transition belonged to a generation of fathers who were not yet ready to break through the taboos and silences that came with the secondary trauma they inherited from their own parents. Only with the coming of the third generation, that of grandchildren, could these taboos and silences finally be broken.

Yet the generational approach also highlights the urgency of the exhumations and the memorial transition as well as their closure in the near future. The generation of grandchildren is not only the first generation able to transcend intergenerational trauma and deal with the past but also, due to the threefold organic unity of the relation between grandparents, children, and grandchildren, it is the last generation that can do this. Indeed, the argument that testimonies of the generation of grandparents must be collected before its last surviving members die underlines the urgency of the

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<sup>66</sup> See, for instance, Villarroya i Font et al., *La repression franquista*, 7.

<sup>67</sup> ARMH, "Porqué los padres de la transición dejaron a mi abuelo en una cuneta?" accessed June 28, 2012, <http://www.memoriahistorica.org.es/joomla/index.php/web-links>.

<sup>68</sup> As Wulf Kansteiner notes, explaining phenomena through generations and family relationships is generally a persuasive trope, as it appears to be natural, inevitable, and also innocent since it has not been involved in divisive conflicts as the concepts of race, class, and gender. See Wulf Kansteiner, "Moral pitfalls of memory studies," *Memory Studies* 5 (2012).

exhumation campaign.<sup>69</sup> During the Chillón reburial, for instance, the vice-president of ARMH stated, “we work against the clock”;<sup>70</sup> during a later reburial in a nearby village, Abenojar, the ARMH head archaeologist, explained that they had not waited for individual identifications before returning the remains because many of the attending villagers would no longer be alive by then.<sup>71</sup>

Ultimately, the biological associations of the generational approach also (unintentionally) imply a pending closure of the ‘memorial’ transition: opponents could use this reasoning to create a specific version of the *ya pasó* argument, saying that once the grandchildren are gone, remembrance of the victims will automatically become less organic and more ‘normalized,’ so that discussion on the past can be shut down.

This notion of potential closure constitutes a central difference between ARMH’s “generational” time and Foro’s “regenerational” time. One can gain deeper insight into ARMH’s construction of TTC time by contrasting it with concepts of time as constructed by Foro – and the latter’s concepts of time are indeed as much constructed and no more “natural” than the former’s. Again Foro’s preference for ideological ties seems directly related to their regenerational time. By focusing on the dead as fallen combatants rather than as lost relatives, Foro evades the inherent finitude of the generational approach. Moreover, the seemingly inherent finitude of death and of the practice of ex- and inhumation themselves are countered by a repeated stress on the fact that Foro volunteers are recovering the (continuing/living) spirit (*espíritu*) of the dead rather than just their (decomposing) bones. What counts for republican dead also counts for “fascist” dead: The exclamation that fascism is “still alive,” the reference to the continuing existence of “*tardofranquistas*” (transliterated “tardy” Francoists), and the claim that “the [Francoist] crime continues” are leitmotifs in Foro discourse.<sup>72</sup>

As is generally the case with the notion of history as teacher of life, the status of the republican dead as examples for the future is in its turn premised on the idea of a

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<sup>69</sup> See, for instance, Villarroja i Font et al., *La repression franquista*, 125.

<sup>70</sup> Marco González (ARMH vice-president), public speech at reburial, fieldnotes, May 1, 2012, Chillón.

<sup>71</sup> René Pacheco (ARMH head archaeologist), cited in Elena Cabrera, “Siete nombres, cuatro cuerpos,” *El Diario*, May 5, 2014, accessed May 20, 2014, [http://www.eldiario.es/sociedad/nombres-cuerpos\\_0\\_256524613.html](http://www.eldiario.es/sociedad/nombres-cuerpos_0_256524613.html) (accessed 20 May 2014).

<sup>72</sup> See, for instance, Javier Mestre, “Sobre el potencial práctico de la ley de memoria histórica española como ley de punto final,” *Rebelión*, January 6, 2011, accessed May 29 May, 2014, <http://www.rebelion.org/noticia.php?id=119842>; Federación Estatal de Foros por la Memoria, “Respuestas de la Federación de Foros al cuestionario del Ararteko,” February 13, 2012, accessed January 9, 2014, <http://www.foroporlamemoria.info/2012/02/respuestas-de-la-federacion-de-foros-al-cuestionario-del-ararteko-defensoria-del-pueblo-de-la-c-autonoma-vasca/>. Also see Pedreño’s statement that “*el franquismo aún no ha desaparecido en España*,” cited in Agencias, “El Foro por la Memoria dice que el proceso contra Garzón ‘es un aviso a navegantes’,” *Diario Siglo XXI*, December 24, 2010, accessed January 9, 2015, <http://www.foroporlamemoria.info/2010/12/el-foro-por-la-memoria-dice-que-el-proceso-contra-garzon-es-un-aviso-a-navegantes/>.

cyclical temporal structure of history. Much as it is the case with the pre-modern *magistra vitae* concept, famously analysed by Reinhart Koselleck, Foro's *magistra vitae* concept is closely related to the idea that in history, things essentially always remain the same.<sup>73</sup> That Foro volunteers can be “dignified inheritors and continuators” of the struggle of the dead is due to the fact that, despite the “dark night of forty years” that came over Spain after republican defeat and despite the apparent change of the transition, times have not fundamentally changed.<sup>74</sup> The following speech directed to the dead illustrates this point:

We have obtained that you are honoured as who you were during life: heroes. Yet no heroes to remember with nostalgia and to visit once a year at the beautiful monument that remembers you, but rather as authentic example for times that although they seem better than the ones you lived, remain under the constant threat of the triumph of paltriness that egoism entails. The scenario is different, but the causes continue to be the same. [...] It is history, the same one it has always been, from Sparta until our days.<sup>75</sup>

### 5.3.3 Exhumations as mobile seminars

As I argued in 4.3, the Spanish exhumations and reburials have become sites of an educational project through which TTC time is spread to the most remote areas of Spain. The exhumations were interpreted as ‘mobile seminars’ where people get involved in the memory movement’s *milieu de mémoire*. Especially relatives are invited to participate in the exhumation and reburial process and share their memories. But if one observes the exhumations closely, one can also trace pedagogical techniques that specifically disseminate norms about how to deal with the past. The ARMH’s pedagogy especially stimulates a cathartic experience, in which people become conscious of their trauma and go through a collective therapy of truth-telling and closure.

The first step in the ARMH’s pedagogy is to make people understand that they are victims and that Spain suffers traumatic memory. Silva explains, for instance, that before the exhumations, “victims of dictatorship [...] never felt themselves victims.”<sup>76</sup> ARMH campaigners themselves are also living exempla of this learning process. They

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<sup>73</sup> Reinhart Koselleck, “Historia Magistra Vitae,” in *Vergangene Zukunft: Zur Semantik geschichtlicher Zeiten*, ed. Reinhart Koselleck (Frankfurt am Main: Suhrkamp, 1979).

<sup>74</sup> Federación Estatal de Foros por la Memoria, “Menasalbas.”

<sup>75</sup> Pedreño, “Carta a los camaradas.”

<sup>76</sup> Hedyuma, *Emilio Silva. juicio a Garzón. 7.2.2012*. (2012), youtube video, accessed January 9, 2015, <http://www.youtube.com/watch?v=ONPAu40LLx4>.

stress that they too have gone through a process of “learning” and “becoming conscious.”<sup>77</sup>

The second step of the learning process involves the idea that something needs to be done about the traumatic past and that exhumations are the best option. In Chillón, the ARMH team referred to examples of previous exhumations in order to present “common” alternatives for the monument at the gravesite – for example, the collective reburial in Oropesa.<sup>78</sup> The team was also very clear about bad examples of dealing with the past – often involving unfaithful relatives. At the town meeting, the ARMH vice-president narrated an exemplary story about how “one of the saddest things a daughter ever told [them] was that ‘they could throw the body of [her] father in the river.’” Silva as well clearly expresses what he thinks of families who do not reclaim their relative’s remains: “No person, no good person, can be capable of leaving a relative thrown in a ditch like a dog.”<sup>79</sup> As said, an important aspect of ARMH therapy is “breaking silences.” Silva himself sometimes serves as an exemplum of how he had to learn to do this. On various occasions, he explains how he was “educated to shut up,” and how he broke through his own silence during the exhumation campaign.<sup>80</sup>

A final aspect of ARMH discourse that is being disseminated through this mass grave pedagogy is the emphasis on relatives as privileged representatives, and on humane values rather than politics. As said, during exhumations and reburials, the ARMH team pays great attention to relatives. The association prefers that relatives, rather than political parties, organize reburials, and during reburials it praises them for their courage. But the best exempla of family values and of how to deal with the past are the ARMH members themselves. On various occasions, the ARMH in Chillón stressed that they do the exhumations *de corazón* (with their hearts) (see fig. 41). One could say that ARMH members embody good grandsons: they commit themselves to the cause because they want to help to find “other people’s grandfathers.”<sup>81</sup>

During the exhumations, a new ‘family’ of memory is created in which ARMH unites volunteers, academics, villagers, and different generations of relatives. At the Chillón reburial, for instance, all villagers and relatives were considered to have become part of the “big family that is the ARMH.”<sup>82</sup> The ARMH is quite successful in including local

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<sup>77</sup> ARMH volunteers, interviews during exhumation, video-recordings by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

<sup>78</sup> Town meeting, video-recording by Sarah Vanagt, Chillón, October 25, 2011.

<sup>79</sup> ARMH, *Exhumación de ‘Los trece.’*”

<sup>80</sup> Hedyuma, *Emilio Silva. juicio a Garzón*; Emilio Silva, public speech, fieldnotes, 10 years ARMH, Priaranza del Bierzo, October, 24, 2010.

<sup>81</sup> Marco González (ARMH vice-president), conversations with ARMH at dinner table, fieldnotes, Almadén, April 30, 2012; interview with Aitor Fernández, audio-recording, ARMH laboratory, Ponferrada, June 19, 2011.

<sup>82</sup> Marco González (ARMH vice-president), public speech during reburial, Chillón, May 1, 2012.

communities and new volunteers in their social movement. In Chillón, many families embraced this newly formed *milieu de mémoire* instead of their destroyed *lieu de mémoire* – the monument at the mass grave.

## 5.4 Conclusion: Second transition or third Republic?

*“Quien no echa raíces no puede dar frutos.”*  
(One that does not grow roots cannot bear fruit.)<sup>83</sup>

In this chapter I opened my gaze again to the international level. I used my study of the Spanish exhumation campaign to discuss the implications of an internationally increasingly dominant ‘pathologizing’ discourse of transitional justice which posits that the past in post-conflict societies is traumatic and should be healed by therapeutic remembrance in order to prevent it from returning and to reach closure.

A detailed study of the Spanish case can help us critically examine the assumptions and beliefs of transitional justice, because at first sight it seems the ultimate confirmation of these assumptions and beliefs. Although Spain’s memory movement is complex, two conclusions can be drawn from a study of its practice and discourse: first, that the Spanish situation does not unequivocally prove the naturalness and universality of TTC time. Although the ARMH does share some aspects of TTC time, this notion of time is not always supported and is sometimes even contested by local actors, victims’ relatives, competing exhumation organizations, and by supporters of the ARMH itself. These contestations relate to the conceptualization of the past in psychopathological terms as traumatic and the idea of a need for therapy and closure. Therefore, my second conclusion is that the Spanish case is, above all, an example of how transitional justice discourse and TTC time are actively (though not always intentionally) promoted and disseminated. Because the ARMH reaches the smallest villages and most remote places with its exhumations and because it successfully secures broad popular participation, the organization succeeds in spreading transitional justice discourse and TTC time far beyond the more confined realms of international policy-making and academia.

I also tried to find part of the answer to my question of in what sense one can say – with Ewa Domanska – that “history starts from the grave.” I claimed that exhumation

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<sup>83</sup> A supporter of the memory movement in Madrid answered this Spanish saying to me when I asked for her motivation to support the memory movement. Fieldnotes, Sit-in against impunity, Madrid, April 23, 2010.

practices certainly involve a “historical” dimension but that they can give rise to very different sorts of history. This is self evident in the definition of history as ‘historical narrative.’ As is already well known, the silence of the dead enables the living to represent them in very different ways and integrate them into very different narratives. This is clearly illustrated by the different privileged representations of the dead by ARMH and Foro. In this chapter, however, I especially focused on a different definition of ‘history,’ namely, history as a conceptualization of historicity or time. And also on this level, I argue, relatively similar practices of exhumation can reinforce different notions of time. More concretely, I contend that ARMH’s exhumations predominantly bolster the idea of a necessary temporal sequence of trauma, therapy, and closure, while I linked Foro’s campaign with a more prevalent “regenerational” time.

Both TTC time and regenerational time, however, contribute to a huge rupture in Spain’s time politics, by challenging the *ya pasó* concept installed by the ‘regime of 1978.’ While the Spanish transition has been regarded the ‘zero time’ of the Spanish democracy for decades, both in the national and international realms, the Spanish memory movement has achieved two changes. First, the associations have made it clear that for many, the memory of the war and Francoism is not ‘passed;’ and second, Spaniards look further back than 1978, to the Second Republic and the fight of the anti-Francoist that ended up in the mass graves, for their origins of democratic values and practices. However, the future steps of the memory movement will tell whether the result of its turn to the past is a ‘second transition’ to definitely ‘solve’ the struggle between the Francoist and Republican powers in Spain, or a ‘Republic to come,’<sup>84</sup> to tackle the Francoist legacies in the architecture of Spain’s society, and to more resolutely return to the political values of the Republic to organize Spanish politics and economy.

Finally, with this chapter on the dissemination of transitional justice discourse and about how exhumation teams engage in different politics of time, I want to contribute to another debate in memory studies. As said in Chapter 1, John Torpey famously argues that the worldwide memory boom has supplanted future-oriented ideologies.<sup>85</sup> The growing focus on historical injustices and on painful pasts, according to him, coincides with a demise of more emancipatory political projects. At first sight, this seems to apply to contemporary Spain. The recent dissemination of TTC time and transitional justice discourse in Spain has to be understood in the context of a post-Francoist climate of fear of political confrontation and of conservative opposition against the memory

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<sup>84</sup> This is a reference to the title of a book edited by members of the ARMH about exiled Republicans: Ariel Jerez Novara and Pablo Sánchez León, *Con la memoria de una Republica por venir* (Madrid: Colección Intermedios, 2014).

<sup>85</sup> John Torpey, *Politics and the past: On repairing historical injustices* (Lanham: Rowman and Littlefield, 2003).



movement. Although this explains why the memory movement feels the need to evade politically provocative positions, I fear that an engagement with TTC time in the long run could have negative effects. In this regard I discussed the ‘pathologization’ of some of the victims’ experiences and memory practices, the risks of closure, and the tendencies toward depoliticization.

Yet I am convinced that a focus on the past and memory does not necessarily imply the demise of more emancipatory political projects; just as the politics of forgetting and the *ya-pasó* argument favoured by conservative Spain equally show that the opposite of an ‘obsession’ with the past, namely, a neglect of the past, does not at all guarantee emancipatory or utopian politics. Since I argue that the risk of depoliticization does not automatically result from a focus on past and memory but, rather, depends on, among other things, the specific notion of time in which this focus is embedded, I am not pessimistic about the political possibilities that the memory movement has opened. On the contrary, since the Spanish memory movement is a heterogeneous and highly dynamic movement, I am convinced that it will be able to resist the described risks inherent to the international transitional justice culture and will be able to safeguard its emancipatory and critical potential.

Recent developments in Spain, such as the emergence of the new political party ‘Podemos’ (We Can), which grew out of the many protests against both the latest PSOE and PP governments, namely, the *indignados* or 15-M movement and the protests against evictions of families from their houses and budget cuts in public education. This social movement that turned into a political party has a high influx of leaders from the ARMH. This leads me to postulate that the memory movement is part of a current process of change that is far from anything resembling closure at this point. Leaders of Podemos increasingly place its movement in a line of anti-Francoist struggle and see their struggle as a sign of ‘the end of the consensus’ or ‘regime’ of 1978.<sup>86</sup> At the same time they conveniently avoid the ‘out of times’ hard-line communist style of the Foro and deploy the latest online and mobile technology to lead their growing electorate to participate in their programs. In the fall of 2014, a ninety-three-year-old participant at the General Assembly of Podemos illustrated this possible rupture in the timeline of Spain. I will end my discussion on time politics with his moving words and will not elaborate more on these very recent developments.

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<sup>86</sup> See, for instance, Libertad Digital, *La cúpula de Podemos acaba la Asamblea cantando L’Estaca de Lluís Llach* (2014), youtube video, <https://www.youtube.com/watch?v=5I3Mnhf3so>; *Discurso de Pablo Iglesias como candidato a la Presidencia de la eurocámara* (2014), youtube video, accessed January 2015, <https://www.youtube.com/watch?v=QuehOJnHZQg&index=28&list=PLVcs-bTIMQ2tLIXluVb1m-erzvwN48Rpp>; laSexta Noticias, *Errejón: “Pujol ha sido un hombre de Estado clave para el regimen de 1978* (2014), youtube video, accessed January 9, 2015, [https://www.youtube.com/watch?v=xtf7SqYs\\_mM](https://www.youtube.com/watch?v=xtf7SqYs_mM).

I am experiencing, thanks to Podemos, a second youth. My first youth, the one of 1936, was a youth when we had to defend the Republic against fascism. [...] The 15-M movement was the first political manifestation of the generations that I have called the generations of hope. [...] The true roots of Podemos can be found in the history of Spain, in the struggles of the 19th and 20th centuries, in the repression, in the thousands of persons that fought for the democracy. The future is there to conquer, and can be conquered.<sup>87</sup>

I conclude with a careful suggestion to keep our interpretation of the exhumation process open and regard the exhumations as one step in a changing process, rather than a closing point. Not only the mass graves are, at least for the exhumation movement, an “*asunto pendiente de resolución*” (an issue waiting for resolution). They are part of a broader memory process that should not come to a close when the last body would be reburied, since a thorough examination of the place of the Republican and Francoist past in the contemporary Spanish society is needed, in order to redirect Spanish politics.

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<sup>87</sup> Luisferperez77, *Estoy pasando gracias a PODEMOS una segunda juventud (Luis Azcárate, 93 años)* (2014), youtube video, accessed December 18, 2014, [https://www.youtube.com/watch?v=W4HtKr-d\\_iY](https://www.youtube.com/watch?v=W4HtKr-d_iY).



## Chapter 6 Conclusion: Breaking the transition's representation of the past?



Figure 46 Alejandro Rodríguez, historian and ARMH volunteer, searching a mass grave with a metal detector, November 5, 2010. His detector looks like a gun, a similarity reinforced by his T-shirt that says “*siempre guerrilleros, nunca bandoleros*” (always guerrillas, never bandits). Alejandro contends that the violence of the anti-Francoist guerrilla was legitimate, an opinion that brushes against the ‘new human rights discourse’ to which some of his *compañeros* adhere.

*"I stop gritar (crying out), not because I have no gritos (cries) left, because you all know that they would be endless. I stop crying out because now I know that, even if we children disappear and no longer will be here, as long as the truth is untold, as long as justice is not done, you will continue to gritar for me." 'El grito de Hilda'*<sup>1</sup>

In this concluding chapter, I return to my main research question: What history comes from the Spanish graves, and to what extent do the exhumations break with the memory politics installed by Francoism and the transition? The Introduction to this dissertation described how the exhumations are believed to cause a huge rupture in Spain's collective memory. Here I will first recapitulate what aspects of the exhumations constitute this perceived rupture according to the results of this study. Second, I will explain how this dissertation revealed a 'politics' of memory beyond the natural, unmediated, and apolitical image of forensic exhumations. In the third section, I try to answer the question of what the exhumations contribute to a new representation of the past. I therefore first return to the memory politics of the transition and then examine how the exhumation movement constructs its own representation of the past.

## 6.1 History beyond the grave

One of the questions that this dissertation aimed to answer was what exactly constitutes the perceived rupture in Spain's collective memory that the exhumations cause. To this end, each of the chapters examined one aspect of historical representation that the exhumation movement constructs.

I first investigated the claim that the exhumations break Spain's 'pact of forgetting' by revealing truth that was previously forgotten or concealed. I situated this claim in an international trend in how societies deal with a violent past that I called the 'forensic turn.' I demonstrated that the ideas, prominent since the 'forensic turn,' that mass graves are sites of concealment of crimes and that the truth about this past can be revealed through forensic exhumations, is somewhat incongruous in Spain. Indeed, the Spanish exhumations – due to the deteriorated remains, lack of resources for the exhumations, and the vast existing knowledge about the killings – in many cases mainly confirm locally known facts. Consequently, I contended that the contribution of the forensic truth from the mass grave exhumations to the historic record in Spain is

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<sup>1</sup> Hilda Farfante, public speech, audio-recording, Puerta del Sol, Madrid, June 2, 2011.

limited to individual, factual truths about causes of death. I concluded that the impact of the exhumations on Spain's collective memory cannot be explained by their truth-revealing capacity alone. Chapters 4 and 5 therefore looked at how the Spanish exhumations go far beyond merely revealing previously unknown truth.

In Chapter 4 I discussed how the exhumation movement turns unconfirmed local knowledge into public acknowledgement and reparation of the violence inflicted on the defeated. I situated this aspect of the Spanish exhumation movement's work in international reparation politics, a field that, according to John Torpey, includes public history and acknowledgement. I concluded that the exhumation movement has opened up the public sphere for the memory of the defeated, but that this is a continuous struggle against the limitations posed by a non-cooperative state.

Regarding the type of reparation that the exhumation campaign can offer, I concluded that within the current exhumation campaign, the reparation achieved is mainly of a commemorative and symbolic nature, and in the cultural domain. The exhumations are victim-centred reparations, and they work primarily towards the humanitarian aim of returning the remains to the victims' relatives. The abuses that are dealt with are the lethal violence against individuals during the Civil War and Francoist repression. Perpetrators are not pointed out or asked for accountability or reparation. In the framework of Torpey, commemorative or symbolic reparation is opposed to anti-systemic or economic reparation, and cultural to legal reparation. Legal reparation is out of reach because the Spanish judiciary and governments since 2000 have kept the issue of the Spanish mass graves firmly away from judicialization. Anti-systemic reparation for systemic abuses leading to continuous group-based inequality is an issue that is much less addressed in the Spanish memory debate, due to the focus on the exhumations. The fact that some parts of society (such as companies that made their profits with forced labour under Francoism or that used goods confiscated under Francoism) benefited from Francoism is an issue that the current Memory Law does not address, and it will also require strategies other than exhumations.

Chapter 5 examined how the exhumation movement deploys new time concepts to break the *ya pasó* attitude of the transition. I argued that, through the conceptualization of the mass graves in psychopathological terms as open wounds, exhumations as cathartic, and reburials as helping to close the wounds, the ARMH reinforces a notion of temporality that I called trauma-therapy-closure time (TTC time). As such, it aligns with an increasingly dominant notion of temporality upheld by scholars and practitioners of the international field of transitional justice. Some of the concepts that I depicted as part of the 'forensic turn' also reinforce TTC time. Indeed, the fact that the Spanish memory movement conceptualizes the victims of Francoism as *desaparecidos* rather than *fusilados* entails a liminal status that demands resolution. I identified how this time concept is constructed and disseminated through the exhumation campaign of the ARMH while the Foro deploys a more regenerative time concept.

In this concluding chapter, I ultimately examine the political impact of the changes the exhumation movement made in these different building blocks – truth, acknowledgement, and time – of the representation of the past of Civil War and dictatorship. It is important, however, to repeat that my conclusions cannot be generalized to the memory movement as a whole, which conducts a myriad of activities; my dissertation studied solely the memory practice of the exhumations.

## 6.2 Politics of memory in forensic exhumations

In the foregoing chapters I situated the Spanish exhumations within two international trends in how societies deal with a violent past: transitional justice, and what I called a ‘forensic turn’ in memory, both situated in the realm of human rights and the fight against impunity. I subsequently aimed to question three common and related ideas about transitional justice practices in general, and mass grave exhumations in particular, namely, that they are a natural reaction to situations of forgetting, that they reveal unmediated truth, and that they are to be situated in the realm of human rights rather than politics.

The Spanish exhumations are often seen as proving the naturalness and inevitability of transitional justice. The plea for a second transition in Spain is used as an example of how a politics of amnesia and amnesty eventually backfires. The struggle of the generation of the grandchildren of the victims of the Civil War to exhume and rebury the remains of the victims after more than seven decades is seen as proof that the past keeps returning if it is not properly worked through. In this view, the mass graves are often interpreted as sites of dysfunctional forgetting, juxtaposed against truth-revealing; or, in legal terms, as sites where evidence of crimes had been concealed; or, in a psycho-pathological framework, as open wounds and traumatic memory, or sites of dysfunctional forgetting.

This study demonstrated, however, that, rather than proving the naturalness and inevitability of a resurfacing of the past, the Spanish case shows that this resurfacing is initiated, constructed, disseminated, and negotiated by a range of memory activists, that I put into clusters of local, national, and international actors. The different chapters indeed described how especially the mobile and participatory character of the Spanish exhumations, a characteristic enhanced by the grass-roots nature of the exhumation movement in Spain, contributes greatly to the building of a new *milieu de mémoire* and the dissemination of the new norms about how to deal with the past to which the exhumation movement adheres.

This study also showed that this interpretation of the Spanish exhumations is sometimes contested, not only by the ones who are still in favour of keeping this part of Spain's history out of the public realm but also by some memory associations and victim's relatives themselves. Juxtaposing the mass grave exhumations as the ultimate weapon against forgetting therefore risks dismissing other memory practices that can be of great value to those other groups. This means that the way in which the past is resurfacing now in Spain forms part of a 'politics' of memory rather than being a 'natural' evolution.

A second prominent idea in accounts about the Spanish exhumations that I aimed to counter was that the exhumations reveal an unmediated truth about the past. Renshaw argued that the visibility and materiality of the graves "can articulate a complex set of messages, without the archaeologists, exhumation coordinators, or journalists ever having to explicitly articulate these messages."<sup>2</sup> Related to this is the vision of many members of the Spanish exhumation movement that an exposed mass grave gives a direct and almost transcendent experience of historical consciousness, which can be used as a pedagogic tool by the exhumation movement. With an analysis of different aspects of historical representation, such as truth or time concepts, I wanted to draw the attention to how the different memory activists engage in a mediation and representation of the past. This at the same time reveals a more diverse picture of representations than the idea of objective, unmediated 'truth from the grave' would suggest. So, following up on the statement of Renshaw, I investigated the diversity of 'messages' the graves articulate, and what message the memory movement does precisely articulate through the graves.

Throughout the course of my fieldwork, I could not fail to notice how this idea of a transcendent experience was really lived, especially in emotional and physical encounters with the human remains (see, for instance, fig. 35) when they were exposed or carried during the reburial. Therefore, I do agree with John Harries and his colleagues of the research network the 'Bones Collective' that bones always seem to escape meanings given to them by the living, or closed interpretations by scholars.<sup>3</sup>

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<sup>2</sup> Layla Renshaw, "The iconography of exhumation: Representations of mass graves from the Spanish Civil War," in *Archaeology and the media*, eds. Timothy Clack and Marcus Brittain (Walnut Creek: Left Coast Press, 2007), 245.

<sup>3</sup> See, for instance, Cara Krmpotich, Joost Fontein and John Harries, "The substance of bones: the emotive materiality and affective presence of human remains," *Journal of Material Culture* 15 (2010); John Harries, "Of bleeding skulls and the postcolonial uncanny: bones and the presence of Nonosabasut and Demasduit," *Journal of Material Culture* 15 (2010); Also see their statement of interests: The University of Edinburgh, "Statement of Interests," accessed November 22, 2014, [http://www.san.ed.ac.uk/research/grants\\_and\\_projects/current\\_projects/bones\\_collective/statement\\_of\\_interests](http://www.san.ed.ac.uk/research/grants_and_projects/current_projects/bones_collective/statement_of_interests).



Moreover, although I focused on how the living give meaning to the dead, the impact of the exhumations can nevertheless not be understood without taking into account the material and visual power of the remains. Nonetheless, I still think my decision to focus on the mediation and representation involved in the exhumation work is valuable. As I said in the preface with the words of Robert Hertz, it might seem “ridiculous and sacrilegious to question the value of this intimate knowledge and to wish to apply reason to a subject where only the heart is competent”; however, Hertz convincingly interprets all kinds of norms around death as signs that death is also an “object of a collective representation,” and he therefore pleads for a rational analysis of the elements of that representation, which is what I have tried to do in this dissertation. I believe that the idea of an unmediated appearance of the past in the graves holds the risk of obscuring the political role of the engagement with the past in the context of the exhumations, the diversity of the ‘histories’ that have been constructed in the wake of the Spanish exhumations, and the influence of the context (historical, political, cultural) in which the representation work takes place. The bones on the cover of this dissertation would probably have a different meaning if they had been exhumed in a different historical context, with different newspapers in which to wrap them.

The last idea about the exhumations that I wanted to question was an idea about retrospective politics in general as they have taken form in the age of reparation and transitional justice. As said in Chapter 5, John Torpey famously argued that retrospective politics of regret that are “the signature of our age” are oriented towards consensus and reconciliation in the present and have therefore replaced future-oriented and emancipatory ideologies. According to Torpey, the quest for reconciliation and consensus has superseded confrontational political work. Critical historiography as well, that by definition must remain open to contestation and is therefore inherently political, risks being replaced by memory in service of reconciliation.<sup>4</sup> In this dissertation however, I came to the conclusion that not all retrospective politics can be put in the same apolitical category. Indeed, through my method of tracking the encounter between a myriad of different actors involved in the exhumations, a huge diversity in political outcomes could be revealed, depending on who frames the exhumation and reburial, local circumstances, and the interaction between the three levels of analysis that I used. Moreover, it seems that the exhumation movement is part of, not only a broader memory movement, but now also part of a re-examination of the transition and the ‘regime of 1978.’

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<sup>4</sup> Torpey specifically refers to the way Nietzsche intended critical historiography. See John Torpey, “Introduction: Politics and the Past,” in *Politics and the Past: On Repairing Historical Injustices*, ed. John Torpey (Lanham: Rowman & Littlefield Publishers, 2003), 6.

Zooming in on the encounter and frictions between actors is, I believe, very valuable, not only for scholars but also for transitional justice practitioners and memory activists. After observing so much differences in ideas on how to deal with the past, between local communities, memory associations, and international trends such as transitional justice and the forensic turn, I would like to recommend to all practitioners take this diversity into account. Even when applying a memory practice with scientific and legal procedures such as mass grave exhumations, different stakeholders can still have very different ideas on issues such as funding, political framing of ceremonies, the type of reparation sought, and the temporal notions with which they relate to the past. I can only conclude that communal and participative work, especially *before* certain memory practices, such as exhumations, are carried out, should be encouraged and funded, in order to meet the different needs of everyone involved.

### 6.3 A new representation of the Civil War past?

Both my focus on the ‘politics’ of memory in the Spanish exhumation campaign and my search for engaged and emancipatory history are not neutral but are very conscious choices. It is my reaction as a scholar to the most far-reaching consequence of the memory politics of the transition, namely, a depoliticization of not only the memory of the Civil War and dictatorship but also of Spanish society as a whole: of its past, present, and future.

This dissertation can therefore be situated in a broader intent to contribute to a “repoliticization” of Spain.<sup>5</sup> ‘Politics’ was inherent to this study in every chapter, when I revealed the diverse memory strategies present in the context of the exhumations and when I assessed them in my search for emancipatory ways to deal with the past.

As I wrote in my methodological chapter, I regard engaged scholarship as intentionally value-driven and confrontational. John Torpey as well sees a political role for scholars in the field of transitional justice. He writes that critical historical studies “can be political, and hence contribute to revealing the subterranean aspects of the past, but it fails if it becomes politicized, subservient to narrowly political interests.” In

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<sup>5</sup> I hereby support the call of Ariel Jerez, a political scientist supporting the ARMH and now candidate for the new political party Podemos. He motivated his candidacy for Podemos with a call for the “repoliticization” of Spain. Ariel Jerez (political scientist, ARMH supporter, and candidate for Podemos), facebook post, November 2014.

this conclusion I therefore refer to politics in the sense of a search and struggle for emancipation and equality, rather than in the narrow definition of party politics.

### 6.3.1 Depoliticization of memory in the transition

*“Because you don’t want the news to be sectarian, nor politicized.”*

*“Today, everything begins.”<sup>6</sup>*

Throughout my fieldwork, I noted a severe fear or avoidance of political conflict or discord, amongst not only the older generations but also the younger, and not only amongst opponents of the memory movement but also within the movement itself. In the villages, I noted how for many informants, talking about the past was often immediately associated with talking about politics, which in its turn was equated with trouble. Especially the women carefully avoided controversy. When asked to conduct an interview, one older woman in Chillón replied: “talk about *de cuando la guerra* (about the war period)? No no, I don’t talk about politics.”<sup>7</sup> Many young people as well do not feel anything for politics. Political scientist Ariel Jerez indeed states that Spain is lagging behind in political participation.<sup>8</sup> As said in Chapter 3, especially the *indignados* or 15-M movement of 2011 stands out in this regard, since this movement mobilized many people for months, but it explicitly rejected political identities or symbols, including those of Spanish anti-fascist struggle. The 15-M protesters understood ‘politics’ narrowly as ‘party politics’ and associated it with discord, conflict, disturbance, or sometimes also corruption.

Scholars such as Susana Narotzky, Gavin Smith, and Michael Richards trace this fear of politics back to the four decades of Francoist dictatorship. As said in Chapter 4, the generation growing up under Francoism learned not to get involved in anything (“*No hay que meterse en nada*”). They especially had to avoid expressing a republican collective identity or memory.<sup>9</sup> As Narotzky and Smith wrote in 2002:

[...] the mere act of autonomous thinking, “having ideas,” became synonymous with political dissent, and therefore a dangerous activity. [...] During the Franco

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<sup>6</sup> Commercials for Radio Nacional de España, fieldnotes, May 2009, Madrid.

<sup>7</sup> This was what an older female informant responded to me when I asked her if she wanted to talk about the issue of the exhumation of the mass grave at the Contadero. In her head, talking about the Civil War past equalled politics, and trouble. (Old female informant, interview, fieldnotes, Chillón, November 2, 2011).

<sup>8</sup> Ariel Jerez, public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, October 14, 2010.

<sup>9</sup> Michael Richards, “From War Culture to Civil Society: Francoism, Social Change and Memories of the Spanish Civil War,” *History and Memory* 14 (2002): 110–111.

regime being *político* was not only bad (and sinful) but also dangerous, which is still vividly remembered.<sup>10</sup>

Today, both scholars and activists point to the policies of the transition as a reason for this generalized apolitical attitude in Spain. As political scientists Ariel Jerez and Monedero often point out in their lectures for the ARMH, while in many European countries the resistance against fascism was co-opted in the democratic values after the Second World War, in Spain the legacy of anti-Francoist resistance, during both the Civil War and dictatorship, was silenced in order to not upset the Francoists who were in great part in charge of the transition process.<sup>11</sup>

The conflicts of the past were depoliticized, confined to *bataillitas del abuelo* (grandpa war stories) and considered irrelevant, even dangerous, for the present. In the new structures and symbols of the state, references to the Republic were avoided in favour of a great degree of continuity with Francoism.<sup>12</sup> Groups that questioned the new model of democracy chosen by the moderate political parties, and that asked for a Republic instead of a monarchy, or accountability for crimes committed by the Francoist regime, were silenced, as was the case for republican parties that were still illegal when the new constitution was voted.<sup>13</sup> As one proponent of a tribunal called to judge Francoism in 1978 summed it up: “Today, everything that is or is called politics is a matter of police; in fact, the traditional Spanish civil war is converted in an issue of apparent public order.”<sup>14</sup> Anti-fascist elements in Spanish society were swept under the carpet, as the same person denounced: “calling the silence about forty years of terror ‘reconciliation,’ [...] would be to mock the anti-fascist feelings of the Spanish people.”<sup>15</sup> Ariel Jerez summed up this erasure of anti-Francoist memories as follows: “Spain is the only

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<sup>10</sup> Salvador Cardús i Ros, “Politics and the Invention of Memory. For a Sociology of the Transition to Democracy in Spain,” in *Disremembering the Dictatorship: The Politics of Memory in the Spanish Transition to Democracy*, ed. Joan Ramon Resina (Amsterdam: Atlanta, 2000), 26.

<sup>11</sup> Also see Cardús i Ros, “Politics and the Invention of Memory,” 25.

<sup>12</sup> See, for instance, Paloma Aguilar and Carsten Humlebaek, “Collective Memory and National Identity in the Spanish Civil War,” *History and Memory* 14 (2002).

<sup>13</sup> See Patricia Campelo, “Sin los partidos republicanos, las primeras elecciones generales carecieron de legitimidad,” *Público*, June 11, 2014, accessed November 11, 2014, <http://www.publico.es/526496/sin-los-partidos-republicanos-las-primeras-elecciones-generales-carecieron-de-legitimidad>.

<sup>14</sup> José Bergamín (writer supporting the Tribunal Cívico Internacional contra los crímenes franquistas), 1978, cited in Patricia Campelo, “El Tribunal Internacional contra el franquismo trató de frenar una transición basada en el olvido,” *Público*, December 2, 2013, accessed December 19, 2014, <http://www.publico.es/politica/tribunal-internacional-franquismo-trato-frenar.html>.

<sup>15</sup> Tribunal Cívico Internacional contra los crímenes franquistas, 1978, cited in Campelo, “El Tribunal Internacional contra el franquismo.”

country where one can be democratic without being anti-fascist.”<sup>16</sup> This is also what Salvador Cardús i Ros means when he calls the memory “invented” during the transition as a “memory without an adversary” and “without a past.” People who had been at the front lines of the anti-Franco movement and who had suffered the consequences of the repression could not use this experience as a source of political legitimacy in democracy. Moreover, they were not part of the construction of a common democratic future for Spain, so they lacked a clear “horizon of expectation.”<sup>17</sup> By the end of the transition, the lack of possibilities for expressing anti-Francoist memory, combined with the observation that the future did not look too bright, led to a “political disenchantment” of the more radically democratic sectors in Spain. The failed coup d’état in 1981 “turned out to be such effective theatrics” to materialize this attitude.<sup>18</sup>

History was left to historians, and politics to a professional (and often hereditary) class of politicians. The ‘privatization of memories’ instilled during the transition has had far-reaching consequences for Spain’s political culture up until today, as Narotzky and Smith argue:

What has been confiscated through the privatization of memories of the past is the ability for this past to become a history, alive in the present and guiding action toward the future. [...] it would seem that forty years of Franco and twenty-five years of monarchy have succeeded in convincing ordinary people that they better not do history themselves, that they better leave it to professionals because when they do it, it always goes wrong.<sup>19</sup>

In sum, the Spanish exhumation movement emerged in 2000 in a context in which the past of the Civil War and dictatorship was not discussed on the public, institutional level because of a continuing political conflict over the meaning of that past for the present.<sup>20</sup>

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<sup>16</sup> Ariel Jerez (political scientist, ARMH supporter, and candidate for Podemos), public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, October 14, 2010.

<sup>17</sup> Concept from the German intellectual historian Reinhart Koselleck (*Erwartungshorizont*); relates to the concept of “space of experience” (*Erfahrungsraum*). According to Koselleck, the experience of both experience and expectation defines all kinds of socio-culturally determined conceptions of time and historicity. See Berber Bevernage, *History, Memory, and State-Sponsored Violence: Time and Justice* (New York: Routledge, 2011).

<sup>18</sup> Cardús i Ros, “Politics and the Invention of Memory,” 26;

<sup>19</sup> Susana Narotzky and Gavin Smith, “‘Being político’ in Spain: An Ethnographic Account of Memories, Silences and Public Politics,” *History and Memory* 14 (2002): 220.

<sup>20</sup> This is what Jay Winter defines as the political type of silence, as opposed to liturgical or essentialist types of violence. See Jay Winter, “Representations of War and the Social Construction of Silence,” in *Fighting Words and Images: Representing War across the Disciplines*, ed. Stephan Jaeger et al. (Toronto: University of Toronto Press, 2010), 30.

### 6.3.2 Representation and representatives in the exhumations

Let us now try to summarize the effects of the exhumations in this context of aversion to political representation of the past. As said, this study revealed a great diversity of how the exhumations engage with the past. In order to identify some trends in the 'histories from the grave,' I clustered my results into two categories that I already mentioned in Chapter 5. With the first category, 'privileged representatives,' I summarize the claims of the exhumation associations about to whom the dead belong or who can speak for them; with the second category, 'privileged representation,' I try to sum up how they represent the past. I will pay attention to both emergent trends in international memory cultures that are picked up in Spain and the diversity within the Spanish memory movement.

#### Privileged representatives: private or collective?

The first category that will give us an idea of the kind of representation of the past constructed through the exhumations is 'privileged representatives.' Conflicts over who has the right to speak about the past are, according to historian Jay Winter, one of the three major reasons for collective silences such as the one installed by the Spanish transition.<sup>21</sup> Looking at how the exhumation movement decides to whom belong the dead is one of the ways we can understand how they represent the past. As already partially illustrated in Chapter 5, claiming the dead can be done in numerous ways, and as James Ellroy wrote: "dead people belong to the live people who claim them most obsessively."<sup>22</sup>

The memory practice of exhumations makes the question of who can claim the dead very tangible, since it determines, amongst other things, who receives the remains and decides what to do with them. This study demonstrated that different associations and groups of relatives within the Spanish memory movement do not always agree on the issue of privileged representatives. Informants often talked about 'ours' (*los nuestros*) when talking about their dead in the *cunetas* as opposed to 'theirs,' the Nationalist dead who received a proper burial. To them it was always clear who 'ours' and 'theirs' were, but in fact visions on who can speak for the dead were very diverse. They ranged from

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<sup>21</sup> A common answer to the question of who has the right to speak about the past is the ones who experienced it, what Jay Winter calls "essentialist silences." Jay Winter, "Representations of War and the Social Construction of Silence," in *Fighting words and images: Representing war across the disciplines*, ed. Stephan Jaeger et al. (Toronto: University of Toronto Press, 2010), 31.

<sup>22</sup> Cited in Katherine Verdery, *The Political Lives of Dead Bodies: Reburial and Postsocialist Change* (New York: Columbia University Press, 1999), 23.

preference for private, individual and familial representatives, to collective and political representatives.

As demonstrated in Chapter 3, one of the advantages of the forensic turn for the Spanish memory movement in overcoming opposition is its embedded focus on relatives of victims. Identity in forensic exhumations is restricted to biological, familial bonds, materialized in DNA identifications.<sup>23</sup> The practice of the exhumations in Spain indeed privileges families of victims in a number of ways. The remains identified by the ARMH and Aranzadi are always returned in an *entrega de restos* (delivery of remains) to the families, after which the families can choose how to bury them. They are always kept informed of all proceedings, get the best seats during the exhumation and reburial, are put forward to press and researchers for interviews, etc. The ARMH deems it 'natural' for a family to claim their dead and thus condemns families who do not show interest in claiming them.

Throughout this study, I remarked that relatives are widely accepted representatives of the *represaliados* in Spain, are not easily contested, and are therefore strategically interesting for the memory movement. However, the focus of the forensic turn on familial representation of the dead somehow continues the privatization of the memory of the republican past and renders a more collective representation difficult. Familial representation of the republican dead moreover limits political identity to biological descent. This makes it difficult to ask public and collective acknowledgement from the Spanish state, that has, as explained in Chapter 4, until now, denied any responsibility to represent the ones who fought fascism in Spain collectively and has, with the *Ley de la Memoria Histórica* outsourced this responsibility to the families. But this also implies some form of continuity with, first, Francoist ideas about the transmission of political ideas through familial bonds, or more concretely the idea of the existence of a "germ of Marxism" carried in the blood of the *rojos*; and, second, the confinement of ideological education to the family home as a consequence of Francoist repression.<sup>24</sup>

Objections to the exhumations by families such as the Garcías in Chillón or the family of the famous poet Federico García Lorca point to these limitations of familial representation of the dead to represent the suffering of the defeated in a collective way. As said in Chapter 5, the family García was afraid that reburying 'the nine' in Chillón in the cemetery would erase their collective identity as fighters against fascism and would make them "normal dead."<sup>25</sup> The family Lorca as well prefers to leave the poet

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<sup>23</sup> DNA identification is increasingly expected by relatives in Spain but is not always affordable or impossible due to the deteriorated state of the remains, and it is not always necessary if the bones can be identified through the comparison of the archaeological study with pre-mortem data of the person.

<sup>24</sup> For a discussion of the notion of hereditary political inclinations, see Narotzky and Smith, "Being *político*," 207–208.

<sup>25</sup> Carmen García, public speech, video-recording by Sarah Vanagt, town meeting, Chillón, October 25, 2011.

in the company of all victims, whether named or unnamed, whether remembered silently by their relatives or forgotten because they have none. We feel that the best way to remember all victims of the terrible crimes committed by Franco's troops is to preserve and protect this burial ground, where Lorca is one victim among many.<sup>26</sup>

Moreover, due to the vast number of the bodies missing in Spain and the time that has passed by since the victims were killed, many families cannot find and identify the remains of their relatives, and the bodies that are identified are not always claimed. Because they were aware of the possibilities that not all bodies would be found and identified, the families in Chillón before the exhumation decided not to request identification, and to rebury the victims together.

Even if relatives are privileged representatives for most actors in the Spanish exhumation movement, as I explained in Chapter 4, many actors try to counteract an all too private representation of the *represaliados* in their discourse and practices. In most cases, the villagers already often see themselves as representatives of the victims because they are their '*vecinos*' (neighbours). All memory associations, including the ARMH, occupy public space, and forming a new *milieu de mémoire* through the exhumations and that creates bonds between volunteers, expert-practitioners, and relatives transgresses familial bonds. And as said in Chapter 5, the Foro disregards relatives as privileged representatives and chooses radically for political *compañeros*. Only they have the right to claim the dead; the collective cause of the Republic surpasses the right of the families to speak for the dead, and the Foro considers their members themselves the new popular Front. They detach representation from the biological identification of the exhumations and make the choice for collective representation, which, of course, is equally limited.

### **Privileged representation: Grandfathers or combatants?**

Let us now turn to how the dead are represented. With which framework are the human remains represented? Are they reconstructed just as bones, as human beings, or as republicans?

First of all, in Chapter 3 I explained how the bodies in mass graves are increasingly depicted both as evidence and as witnesses of the past. This aspect of the forensic turn entails a risk of a conflation of persons with bodies. Moreover, as said, forensic truth only gives clues about how a person died, not why, let alone what his or her life history was. The dominance of visual representations of the exposed graves

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<sup>26</sup> Laura García Lorca, cited in Jennifer Sime, "Exhumations: The search for the dead and the resurgence of the uncanny in contemporary Spain," *Anthropology and Humanism* 38 (2013): 46.



distracts attention from the victim's lives, ideas, and ideologies.<sup>27</sup> Furthermore, a conflation of persons with bodies also reinforces the notion of closure, because it constructs the idea that the loss is repaired once the body is returned to the families. However, the Spanish exhumation movement clearly invests in representing the bones as human beings instead of corpses, thereby trying to refer to not only their death but also their life. Sometimes there is also reference to their political ideas. In the practices around the graves during the exhumation, bones are turned into persons in a number of ways. Giving '*nombre y apellido*' (name and surname) to the victims of Francoism is an issue of utmost importance to both the exhumation associations and the victims' relatives. If all goes well, the identification process gives them a name, and already during the exhumation the skeletons are often given a face, through portraits that relatives bring to the exhumation and sometimes display there (see fig. 40). In the wake of the exhumation, life-histories of the relatives are recorded. The archaeologists show personal objects found in the grave, such as rings, shoes, combs, pencils, etc., which refer to the gender, class, and personal and professional lives of the victims. Certain objects can also produce a moment of identification with the bodies. I related how in Pol (Lugo) the ARMH team bumped into this pair of boots that looked like the 'Doc Martens' shoes that were popular when they were teenagers. These boots produced a moment of identification both for the old locals as for the young volunteers, as if that man was present for a moment through his shoes. The bones are further turned into persons through the gestures of the exhumation team. As said, sometimes the exhumation team demonstrates with a re-enactment, or with their own bodies and gestures, how the victims were killed and situated in the grave. In their discourse outside of the exhumations as well, the associations pay attention to the persons and lives of the victims. Francisco Etxeberría frequently reminds that they exhume not "skeletons but persons with feelings and ideas."<sup>28</sup> As said in Chapter 5, the Foro often explicitly recalls the lives and ideologies of the persons in the mass graves. And the book of Emilio Silva

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<sup>27</sup> This is one of the reasons why some victims' relatives in the Southern Cone, including one branch of the Argentinean *Madres de la Plaza de Mayo*, do not collaborate with exhumations. One son of a *desaparecido* expresses this opinion, after receiving the remains of his father, as follows: "For me, my father is a *desaparecido*, and I keep on experiencing him like that. These bones are not my father, they are bones. My father, for me, is his history. [...] It is the story constructed by the ones who were close to him, of his *compañeros* of the faculty, the party [...] This narrative (*relato*) can never be synthesized in bones. The distance one has towards the bone is enormous." Cited in Virginia Martínez, *Los manos en la Tierra* (Uruguay, Aceituna Films et al.: 2010), documentary, 52 min, accessed January 10, 2015, <http://www.youtube.com/watch?v=Oxm5HQ8jliQ&feature=relmfu>.

<sup>28</sup> Francisco Etxeberría, lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010; Commemoration 10 years ARMH, Ponferrada, October 24, 2010.

and Santiago Macías existed for most part of the histories of the mass graves, the victims, and their relatives, in an effort to give the victims “name and biography.”<sup>29</sup>

The representation of the victims of course does not stop with attaching a human face, story, and name to the remains. The main trend that I identified throughout this study is that in the representation of the past, the exhumation campaign in Spain deploys the framework of human rights rather than politics. This is embedded in the primacy of the humanitarian aim of exhumations in the Spanish case and in the function of commemorative and symbolic, rather than anti-systemic or socio-economic, reparation of the exhumations. It is also implied in the dominance of TTC time and its focus on closure rather than on regeneration of the struggle.

As I explained in Chapter 5, the associations engage in very different representations of the dead. I mainly drew a difference between two groups. First the Foro, which uses explicit political representation, with republican symbols and aesthetics and depicts the dead as heroic combatants. This in contrast with the ARMH and Aranzadi, which restrain from using Republican political symbols during public reburials, while internally or less explicitly they share republican values and use republican symbols such as the tricolour on t-shirts and flyers. If asked if their work is political, the answers given by the members are usually situated in the realm of “ethical commitment,” “social work,” and “human rights.”<sup>30</sup> They often stress the fact that the *represaliados* died as civilians, far away of the front. They depict the victims as innocent grandfathers and identify with them through affective bounds. Even in the case of exhuming anti-Francoist *maquis*, they keep stressing their innocence as victims of circumstances rather than the cause for which they fought.<sup>31</sup> Aranzadi as well stresses that they exhume all victims of human-rights abuses, whether of the Nationalist or Republican side. And finally, the ‘Law of Historic Memory’ of the state also focuses on the victim of human rights abuses rather than the defeated, Republican victim.<sup>32</sup>

Some actions and discourses of the memory movement have opened up the debate about the political relevance of history and memory in Spain. In reburials, the ARMH vice-president often refers to the values for which the victims fought.<sup>33</sup> And when confronted with the accusation of ‘politicizing’ the past, the previous vice-president

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<sup>29</sup> Emilio Silva and Santiago Macías, *Las fosas de Franco, Los republicanos que el dictador dejó en las cunetas* (Madrid: Temas de Hoy, 2003), 126.

<sup>30</sup> See, for instance, Carlos Agüero, meeting in ARMH Madrid office, fieldnotes, October 27, 2010; ARMH archaeological assistant Nuria Maqueda, interview during exhumation, video-recording by Sarah Vanagt, Chillón, November 3, 2011.

<sup>31</sup> Discussion between ARMH team and opponent of the memory movement, Saceruela, November, 2011. The opponent was the owner of the hostel where the ARMH team initially stayed for the Chillón exhumation. After the fierce discussion, the team changed to another hostel.

<sup>32</sup> Michael Humphrey, “Law, Memory and Amnesty in Spain,” *Macquarie Law Journal* 13 (2014): 35.

<sup>33</sup> For instance, Marco González (ARMH vice-president), reburial, video-recording, Chillón, May 1, 2012.

Santiago Macías calls their work ‘political’ but not ‘*partidista*’ (factional). ARMH explains this with the political ideas of the victims that were the reason for killing them, with the political nature of the violence of Francoism, or with the fact that neglecting the victims has been part of a politics of memory since the transition. The ARMH usually does not go further than these references to the political ideas of the republicans in the past in the immediate context of exhumations and reburials. In their external discourse, however, some ARMH leaders do give statements on the relevance of the ‘recovery’ of the Republican past for contemporary politics in Spain.

Layla Renshaw sees this depoliticized representation of the dead as a strategy of the memory movement to weather the common charge of ‘politicizing’ the past. As she also says, “it is much more difficult for right-wing politicians and press to demonise a dead grandfather than a dead communist.”<sup>34</sup> Indeed, in the Spanish post-transition context, political representation of the past is still the most controversial aspect of the Spanish memory movement.

With this apolitical representation we could argue that the Spanish memory movement aligns itself with the international transitional justice memory culture, which is victim-centred and based on human rights. By depicting the Republican dead as innocent victims, they disregard the fact that some of these dead deployed violence, and the reasons why they resorted to military and guerrilla tactics. This sometimes goes so far as the associations or victim’s relatives interpreting the Civil War as genocide rather than a war between political adversaries.<sup>35</sup> As Berber Bevernage points out, using the work of Robert Meister, the “new human-rights discourse” indeed rejects adversarial logic in favour of reconciliation. The “universal innocence of past victims” has replaced the notion of (revolutionary) struggle, and even the notion of “justice as struggle” that formed the basis of earlier human-rights discourse.<sup>36</sup> We could conclude that the depoliticization of memory has been crucial, not only to legitimize an engagement with the violent Spanish past in general but also in the recognition of the violence on civilians as part of the social cleansing that Francoism carried out.<sup>37</sup> However, it thereby neglects the notion of political struggle that was inherent to the Civil War and the anti-Francoist resistance.

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<sup>34</sup> Layla Renshaw, “The Iconography of Exhumation: Representations of Mass Graves from the Spanish Civil War,” in *Archaeology and the Media*, ed. Timothy Clack and Marcus Brittain (Walnut Creek: Leftcoast Press, 2007), 248.

<sup>35</sup> See, for instance, Paul Preston, *The Spanish Holocaust* (London: Harper Press, 2012).

<sup>36</sup> Robert Meister, cited in Berber Bevernage, “The Past is Evil/Evil is Past: On Retrospective Politics, Philosophy of History and Temporal Manichaeism” *History and Theory* (accepted, forthcoming).

<sup>37</sup> Renshaw, “The Iconography of Exhumation,” 250.

### 6.3.3 Conclusion: What history comes from the Spanish graves?

What is, in the end, the contribution of the exhumations to a rupture of the Francoist and transition memory politics and to the historical record in Spain? I conclude that the deployment by the Spanish memory movement of the concepts and practices of the international forensic turn, transitional justice, and human rights is a two-edged sword. On the one hand, the perceived unmediated and apolitical character of the exhumations has been crucial in opening up a debate about Spain's violent past and has enabled an engagement with the past that more explicitly political memory work had not achieved in the Spanish context. By circumventing political representation of the past, it facilitated new possibilities for civic engagement for a generation that was estranged from politics.

As the different chapters have demonstrated, the exhumation campaign does cause a rupture in the memory politics adopted during the transition. First of all they document facts that could be used in legal investigations. However, I demonstrated that the rupture is not only caused by forensic truth. Indeed, the exhumation movement goes far beyond truth-revelation. The identification work and framework of human rights has provided new ways of seeking acknowledgement, by repairing the dignity and humanity that Francoism deprived the *rojos* of. The introduction of TTC time has been crucial in recognizing that time does not heal all wounds, and showing that the Francoist past is not *ya pasó* but still present for many descendants and *compañeros* of those *rojos*.

Yet, at the same time, the depoliticizing effects of the forensic turn and transitional justice pose limits to the extent the exhumations can break the prohibition on political representation that was one of the major consequences of the memory politics of the transition. The exhumations as a memory practice do not automatically question the continuities between the Francoist regime and democracy in Spain, in the state apparatus or socio-economic structure. Especially the focus on commemorative reparations for relatives of individual victims of lethal violence, the stress on closure, and the representation of the dead as victims of human-rights abuses rather than anti-fascist combatants leave important issues out of the memory debate. They do not necessarily bring about a re-evaluation of the republican political struggle and the relevance some of its values could have today. The rupture or 'second transition' that the exhumation movement pursues is less different from the first transition than it presumes: the ARMH's use of forensic science depoliticizes and privatizes its new history, which hampers its potential to achieve a collective representation and a new anti-Francoist narrative.

These questions are much harder to address in the immediate context of the exhumations with their usual judicial and humanitarian aim, and they require political struggle. Therefore I return to the image of the concentric circles that Francisco Etxeberría uses to describe the memory work that needs to be done. The mass grave

exhumations might be the most spectacular and mediagenic practice, but, referring to the words of Viçenc Navarro and José Ignacio Casado in Chapter 4, the mass graves are just the “tip of the iceberg”: “it is not enough to dig up the dead,” since this “is just the beginning of a lot of work.”<sup>38</sup> As Casado said when confronted with the fear of ‘politicizing the past’ of his students, memory work does entail political work:

What is politics? Is it denouncing the disfunctioning of the state in the area of justice and administration? [...] Is it claiming a politics of human rights and reparation? That is politics.

And when we don’t understand what is politics, that politics means structuring what is collective, and dealing with what is common, and that it goes far beyond of political parties, we don’t understand anything.<sup>39</sup>

Therefore, I think that an important remaining task to break the memory politics of the transition is a revaluation of politics in Spain. And just at the time of writing this conclusion by the end of 2014, civic movements in Spain that have ties with the memory movement have indeed founded a political party, *Podemos* (we can), which aims to effect a “second transition” and break with the ‘regime of 1978.’<sup>40</sup> There now seems to be a broader support for repoliticization, (including within the network of the memory movement). According to Juan Carlos Monedero, political scientist, supporter of ARMH, and leader of *Podemos*, this party has grown out of the 15-M movement but has lost its apolitical feathers. *Podemos* is the “politicization of [the] arguments [of 15-M],” so he states.<sup>41</sup> A colleague of Monedero and also part of the ARMH network, Ariel Jerez, explicitly called the need for a “repoliticization” of Spain as his motivation to join the ranks of *Podemos*.<sup>42</sup> As said in Chapter 5, at the same time they place their movement in the history of anti-fascist struggle in Spain and Europe.

Just as in 1936, we do not yet know the outcome of the struggle. Spain’s ‘regime of 1978’ is severely called into question at this moment. Yet, like any transition, a second transition in Spain can go in many different political directions. What will happen after

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<sup>38</sup> Viçenc Navarro, public lecture, audio-recording, Commemoration 10 years ARMH, Ponferrada, October 24, 2010.

<sup>39</sup> José Ignacio Casado (ARMH Burgos), public speech, audio-recording, Jornadas Protocolo y Balance, University Carlos III, Madrid, October 14, 2010.

<sup>40</sup> See, for instance the statements of Luis Alegre, *Podemos* member, in Mario Escribano Torres, “El objetivo es que en otoño arranque una Segunda Transición, una gran revolución democrática,” *Rebelión*, July 22, 2014, accessed January 10, 2015, <http://www.rebelion.org/noticia.php?id=187539>.

<sup>41</sup> See Europa Press, “Monedero: ‘Venimos del 15-M pero no somos el 15-M, somos la politización de sus argumentos,’” *Público*, December 14, 2014, accessed January 10, 2015, <http://www.publico.es/561542/monedero-venimos-del-15-m-pero-no-somos-el-15-m-somos-la-politizacion-de-sus-argumentos>.

<sup>42</sup> Ariel Jerez (political scientist, ARMH supporter and candidate for *Podemos*), Facebook post, November 2014.

the 'wounds are closed' and the legacies of Francoism 'exorcised'? I suggest we keep our eyes on Spain to see in which direction these changes go, since it could well be that the slogan of the *indignados* and Podemos, '*sí se puede*' (yes we can) has become the new '*no pasarán*' (they won't pass) of 1936, and these shifts in political and memory culture in Spain could have ramifications on the local, national, and international levels.



## English Synthesis

The Spanish transition to democracy after the death of dictator Francisco Franco in 1975 has long served as a model for researchers and practitioners of 'transitional justice.' This interdisciplinary field studies strategies employed by states and international institutions to deal with the legacy of human rights abuses. The Spanish transition entailed a moderation of political parties and an agreement not to address the past of the Civil War (1936–1939) and dictatorship (1939–1975) in the political and judicial arena. This came to be known as the 'pact of forgetting.' These policies guided Spain relatively peacefully into a democratic welfare state. Due to a recent memory movement, however, the Spanish transition model seems to have broken down. The memory movement calls for a second 'memorial' transition through 'the recovery of historical memory.' The practice that is believed to contribute the most to the rupture of the 'pact of forgetting' is the exhumation of mass graves from the time of the Francoist repression during and after the Civil War.

This dissertation aims to assess the contribution of these mass grave exhumations to a new collective memory in Spain. With a framework of historical theory, the author critically questions the following dominant ideas about the Spanish exhumation campaign: first, the idea that unexcavated mass graves are sites of forgetting and traumatic memory; and second, that the exhumation of mass graves is a natural and universal reaction to this. Indeed, many observers of and participants in the exhumation campaign believe that the past will inevitably 'come to the surface' if not properly worked through. The third idea that the dissertation questions is that the exhumations contribute to the historical record of Spain through the revelation of unmediated, objective truth.

To this end, the author investigates what kind of representation of the past is constructed in the wake of the exhumations. The exhumations are studied as 'memory practices' and the exhumation teams as 'memory activists' who disseminate norms about how to deal with the past. The study uses a diverse range of data such as popular and academic literature as well as documents and social media usage of the Spanish memory movement and related organizations. This study is mostly informed, however,



by participant observation and interviews conducted in the exhumation movement. The author carried out multi-sited research, following one of the major exhumation teams, the 'Association for the Recovery of Historic Memory' (ARMH). By adding an ethnographic approach, this study applies historical theory to the 'practical past' or to how history is constructed by social actors in society.

The first findings of the study relate to the origins of the dominant ideas about exhumations outlined above. The author describes how the Spanish memory movement adopts some aspects of what she calls an international 'forensic turn' in memory. This turn, with roots in the fight against impunity for gross human rights abuses, regards a mass grave as both *corpus delicti* and witness of the past, and it disseminates the practice of forensic-scientific exhumations as a weapon against forgetting. The author argues, however, that the concepts of the forensic turn are somewhat incongruous in Spain, for in Spain, Francoism is not on trial, and the exhumations are organized by associations of relatives and volunteers rather than by judges. Furthermore, the exhumations themselves do not always contribute a lot of new facts to the historic record. Much information about the victims in the graves is locally known, and genetic identification is not always possible. Lastly, forensic truth is usually limited to factual truth about the cause of death of individuals and can only serve as a kernel of a broader historical narrative on the social grounds for the violence.

This dissertation therefore contends that the forensic truth gathered in the exhumations does not suffice to explain their perceived impact. Moreover, equating exhumations with confronting the past, and unexcavated mass graves with forgetting, holds the risk of dismissing other memory practices. Nonetheless, the author argues that despite the frictions between the Spanish case and the international forensic turn, this international alliance has been crucial for the Spanish memory movement. Indeed, the international forensic turn, with its roots in human rights and science rather than in politics, has helped to circumvent a fear, installed during the transition and held by many Spaniards, of political engagements with the Civil War past.

This finding made the author search for elements other than forensic truth that could explain the perceived impact of the exhumations on Spain's collective memory. Subsequently, the dissertation first shows how the exhumations, rather than breaking a 'pact of forgetting' instead break a situation of 'privatization' of memory. They do this by aiming for public acknowledgement of the violence, as a form of reparation for the victims. The author describes how the exhumations in this regard serve as 'mobile seminars' of public history. Precisely because of their non-judicial character, the exhumations are very communal and turn the mass grave site into a public and participatory space for the local community, where an inclusive network of memory is formed that stretches from the most remote villages to national and international memory organizations. Through these strategies, the exhumation associations

transform knowledge, previously confined to the private sphere, into acknowledgement.

Second, the dissertation shows that the exhumation movement breaks with the time concept used during the Spanish transition to deal with the Civil War past. While the architects of the transition decided that this episode was 'passed,' the exhumation movement argues that this violent past is an 'open wound' that needs to be actively addressed in order to move on. The author calls this new notion of temporality trauma-therapy-closure time (TTC time). She subsequently shows how this notion is constructed and disseminated by some of the memory associations, and influenced by international transitional justice discourse.

The author's search for how the exhumations impact collective memory beyond the production of forensic truth led to the detection of a broad diversity of norms about how to represent the Civil War past. The author identifies different forms of 'privileged representation' and 'privileged representatives' of the dead in the mass graves that range from apolitical and private to very political and collective. While the ARMH and its collaborators put forward relatives as privileged representatives and depict the dead as missing grandfathers, other memory associations, such as the 'State Federation of Forums for Memory,' represent the dead as fallen combatants who can best be represented by the political heirs of their struggle. These differences determine whether the acknowledgement and reparation claimed includes commemorative and symbolic reparation or also social justice. Furthermore, the differences lead to different time concepts. The author indeed shows how the TTC-time of transitional justice, with its focus on healing and closure, is contested by both local communities and associations such as Forums for Memory, which deploys a time concept of regeneration of the anti-fascist struggle.

To conclude, the author asserts, first, that the mass grave exhumations do cause a rupture with the so-called 'pact of forgetting' installed in the transition but that this rupture goes in different directions. International trends such as the forensic turn and transitional justice help the 'recovery of historic memory' in Spain, but at the same time they constrain it, especially if the memory movement seeks to break the privatization of the memory of the Civil War and the aversion of political conflict that the 'pact of forgetting' installed. Second, by zooming in on the frictions between actors, the author shows that, rather than giving an unmediated glance on the past, the exposed graves are subject to a 'politics of memory' between local communities, memory associations, and international trends such as transitional justice and the forensic turn. This leads to the conclusion that representations of the past in the exhumation movement are, rather than natural and universal, constructed by different memory activists. Therefore, this dissertation recommends that transitional justice and memory practitioners take into account diversity and friction between different stakeholders, even when applying a memory practice with scientific and legal procedures such as mass grave exhumations.



## Spanish Synthesis (*Resumen*)

Políticas de la memoria en exhumaciones de fosas de la Guerra Civil Española.

La transición a una democracia, después de la muerte del dictador Francisco Franco en 1975, ha servido durante mucho tiempo como modelo para investigadores y practicantes de la ‘justicia transicional.’ Este campo interdisciplinario estudia las estrategias empleadas por estados e instituciones internacionales para hacer frente a una herencia de abuso de derechos humanos. La transición española supuso una moderación de partidos políticos y un acuerdo de no tratar el pasado de la Guerra Civil (1936-1939) y la dictadura (1939-1975) en el ámbito político y judicial, que se llegó a conocer como el ‘pacto del olvido.’ Estas políticas convirtieron a España, de forma relativamente pacífica, en un estado democrático de bienestar. Sin embargo, recientemente, debido a un movimiento asociativo por la memoria, el modelo de la transición español parece haberse derrumbado. El movimiento reclama una segunda transición ‘memorial’ a través de ‘la recuperación de la memoria histórica.’ La práctica considerada a contribuir primordialmente en la ruptura del ‘pacto del olvido,’ es la exhumación de las fosas comunes de la represión franquista durante y después de la Guerra Civil.

Esta disertación tiene como objetivo evaluar la contribución de estas exhumaciones de fosas comunes a la nueva memoria colectiva de España. Con un marco de teoría histórica, la autora cuestiona críticamente las siguientes ideas dominantes de la campaña española de exhumaciones: primero, la idea que fosas comunes no excavadas son lugares de olvido y memoria traumática, y segundo, que la exhumación de fosas comunes es una reacción natural y universal a esto. Efectivamente, muchos observadores y participantes de la campaña de exhumación creen que inevitablemente el pasado ‘saldrá a la superficie’ si no se supera. La tercera idea que esta tesis cuestiona es, que las exhumaciones contribuyen al registro histórico de España a través de la revelación de una verdad objetiva sin mediación alguna.

A este fin, la autora investiga qué tipo de representación del pasado se ha construido a raíz de las exhumaciones. Las exhumaciones son estudiadas como ‘prácticas por la memoria’ y los equipos de exhumación como ‘activistas por la memoria’ que difunden normas de cómo hacer frente al pasado. Este estudio se basa en diferentes

datos obtenidos tanto de la literatura popular y académica y de documentos como del uso de redes sociales del movimiento asociativo por la memoria y organizaciones relacionadas. Sin embargo, este estudio está basado mayoritariamente en la observación participante y en entrevistas realizadas en el contexto de las exhumaciones. La autora ha llevado a cabo una investigación multilocal, siguiendo a uno de los mayores equipos de exhumación, la Asociación para la Recuperación de la Memoria Histórica (ARMH). Añadiendo un enfoque etnográfico, este estudio aplica una teoría histórica en el ‘pasado práctico’ o en cómo historia es construida por actores sociales en una sociedad.

Los primeros resultados de este estudio hacen referencia a los orígenes de las ideas dominantes sobre las exhumaciones descritas anteriormente. La autora describe cómo el movimiento asociativo español por la memoria adopta algunos aspectos de lo que ella llama un ‘giro forense’ en la memoria. Este giro, con raíces en la lucha contra la impunidad ante abusos de derechos humanos, considera una fosa común tanto un *corpus delicti* como un testigo del pasado, y difunde la práctica de exhumaciones forenses-científicas como un arma contra el olvido. La autora sostiene, sin embargo, que los conceptos del giro forense son un tanto incongruentes en España. Porque en España, el Franquismo no está siendo juzgado y las exhumaciones están siendo organizadas más bien por asociaciones de familias y voluntarios que por jueces. Es más, las mismas exhumaciones no siempre proporcionan nuevos datos al registro histórico. Mucha de la información sobre las víctimas en las fosas ya es conocida localmente, y una identificación genética no siempre es posible. Por último, la verdad forense se limita normalmente a una verdad individual y factual sobre la causa de la muerte, y solo puede servir como la base de una narrativa histórica más amplia de motivos sociales de la violencia.

Esta disertación por eso argumenta que la verdad forense recopilada durante las exhumaciones no basta para explicar su impacto percibido. Es más, igualar las exhumaciones con confrontaciones del pasado y fosas comunes sin excavar con olvidar, contiene el riesgo de desestimar otras prácticas de memoria. No obstante, la autora argumenta que, a pesar de los roces entre el caso español y el giro internacional forense, esta alianza internacional ha sido crucial para el movimiento asociativo por la memoria. Es cierto, el giro internacional forense, que tiene sus orígenes en derechos humanos y ciencia antes que en política, ha ayudado a eludir el miedo de muchos españoles, establecido durante la transición, hacia compromisos políticos por el pasado de la Guerra Civil.

Esta conclusión empujó a la autora a buscar otros elementos que la verdad forense, que pudieran explicar el impacto percibido de las exhumaciones en la memoria colectiva de España. A continuación, la disertación muestra cómo las exhumaciones rompen con el hecho de ‘privatización’ de la memoria en vez de romper con un ‘pacto olvidando.’ Esto lo hacen intentando conseguir un reconocimiento público de la violencia, como forma de reparación para las víctimas. La autora describe cómo las

exhumaciones, en este aspecto, sirven como ‘seminarios móviles’ de una historia pública. Precisamente por su carácter no judicial, las exhumaciones son muy comunitarias y convierten el lugar de las fosas comunes en un espacio público y participatorio para la comunidad local, donde se forma una red de memoria inclusiva que se extiende desde los pueblos más alejados hasta las organizaciones nacionales e internacionales por la memoria. A través de estas estrategias, las asociaciones de exhumación transforman conocimiento, antes restringido a los ambientes privados, en reconocimiento.

Segundo, la disertación muestra cómo el movimiento de exhumación rompe con el concepto de tiempo usado durante la transición española para hacer frente al pasado de la Guerra Civil. Mientras que los arquitectos de la transición decidieron que este episodio había ‘pasado,’ el movimiento de exhumación replica que este violento pasado es una ‘herida abierta’ que se tiene que curar para poder seguir adelante. La autora llama esta nueva noción de temporalidad ‘tiempo trauma-terapia-cierre’ (tiempo TTC), un término utilizado por algunas de las asociaciones por la memoria e influenciado por el discurso internacional de justicia transicional. Ella demuestra cómo se está construyendo y difundiendo esta noción por una asociación como ARMH.

La búsqueda de la autora de cómo las exhumaciones marcan la memoria colectiva más allá de la producción de una verdad forense la llevó al descubrimiento de una gran diversidad de normas de cómo representar el pasado de la Guerra Civil. La autora identifica diferentes formas de ‘representación privilegiada’ y ‘representantes privilegiados’ de los muertos en las fosas comunes, que varían de apolíticas y privadas a muy políticas y colectivas. Mientras que ARMH y sus colaboradores presentan la familia como representantes privilegiados y retratan a los muertos como abuelos perdidos, otras asociaciones por la memoria, como la Federación Estatal de Foros por la Memoria, representan a los muertos como combatientes fallecidos que son mejor representados por los herederos políticos de su lucha. Estas diferencias determinan si el reconocimiento y la reparación exigidos incluyen una reparación conmemorativa y simbólica o también una justicia social. Además, las diferencias conducen a diferentes conceptos de tiempo. La autora efectivamente señala cómo el tiempo TTC de la justicia transicional, que tiene como principal objetivo curar y cerrar, está siendo cuestionado tanto por comunidades locales como por asociaciones como Foro por la Memoria, que implementa un concepto de tiempo de regeneración de la lucha antifascista.

Para concluir, la autora argumenta primero que las exhumaciones de las fosas comunes provocan una ruptura del llamado ‘pacto del olvido’ implementado durante la transición, pero que esta ruptura va en diferentes direcciones. Tendencias internacionales como el giro forense y la justicia transicional ayudan con la ‘recuperación de la memoria histórica’ en España, pero al mismo tiempo la dificultan, especialmente si el movimiento por la memoria intenta romper con la privatización de la memoria de la Guerra Civil y la aversión hacia el conflicto político que instaló el ‘pacto

del olvido.’ En segundo lugar, enfocando en los roces entre actores, la autora señala que, en vez de proporcionar una mirada no mediada al pasado, las fosas expuestas están sometidas a una ‘política por la memoria’ de comunidades locales, asociaciones por la memoria y tendencias internacionales como la justicia transicional y el giro forense. Esto la lleva a la conclusión, que representaciones del pasado en el movimiento de exhumación, en vez de ser naturales e universales, están siendo construidas por diferentes activistas por la memoria. Por eso, esta tesis recomienda a la justicia transicional y a los practicantes por la memoria, tener en cuenta la diversidad y la fricción entre las diferentes partes interesadas, incluso cuando se hace uso de prácticas de memoria con procedimientos científicos y legales como exhumaciones de fosas comunes.

## Dutch Synthesis (*Samenvatting*)

Geschiedenis uit het graf. Politiek van herinnering in opgravingen van massagraven van de Spaanse Burgeroorlog.

De Spaanse overgang naar democratie, na het overlijden van dictator Francisco Franco in 1975, is lang het model geweest voor onderzoekers en beleidsmakers van '*transitional justice*' (overgangsgerechtigheid). Dit interdisciplinaire onderzoeksveld buigt zich over strategieën van staten en internationale instellingen om met schendingen van mensenrechten uit het verleden om te gaan. De Spaanse transitie bestond uit een matiging van politieke partijen, en een akkoord om het verleden van de Burgeroorlog (1936-1939) en dictatuur (1939-1975) niet te bespreken in politieke en gerechtelijke fora. Dit laatste werd bekend als het 'pact van het vergeten.' Deze maatregelen zorgden er voor dat Spanje op een relatief vreedzame manier omgevormd werd tot een democratische welvaartsstaat. Een recente herinneringsbeweging stelt het Spaanse model van transitie echter in vraag. De beweging pleit voor een tweede transitie die de 'historische herinnering' letterlijk en figuurlijk opgraaft. De activiteit waarvan geloofd wordt dat ze het 'pact van het vergeten' het meest dooreen schudt, is de opgraving van massagraven van de franquistische repressie tijdens en na de Burgeroorlog.

Dit proefschrift wil de bijdrage van deze opgravingen aan het collectief geheugen in Spanje evalueren. Met behulp van de historische theorie stelt de auteur enkele dominante ideeën over de Spaanse opgravingen kritisch in vraag: ten eerste, het idee dat onopgegraven massagraven plaatsen van vergetelheid en traumatische herinnering zijn, en ten tweede, dat de opgravingen een natuurlijke en universele reactie op deze situatie zijn. Veel waarnemers van de Spaanse opgravingsbeweging geloven inderdaad dat het verleden onvermijdelijk 'naar boven komt' als het niet degelijk verwerkt wordt. Het derde idee dat het proefschrift in vraag stelt, is dat de opgravingen bijdragen aan het collectief geheugen van Spanje met ongemedieerde en objectieve waarheid.

Met dit doel voor ogen onderzoekt de auteur welk soort representatie van het verleden geconstrueerd wordt in het kielzog van de opgravingen. De opgravingen worden bestudeerd als 'herinneringspraktijken' en de opgravingsteams als 'herinneringsactivisten,' die normen over hoe om te gaan met het verleden verspreiden.



De verhandeling gebruikt een waaier aan bronnen, zoals populaire en wetenschappelijke literatuur, documenten en sociale media van de herinneringsbeweging en aanverwante organisaties. Het proefschrift baseert zich echter hoofdzakelijk op participatieve observatie en interviews in de opgravingsbeweging. De auteur heeft onderzoek uitgevoerd op meerdere sites, in de voetsporen van een van de belangrijke opgravingsteams: de 'Vereniging voor het Herstel van het Historisch Geheugen' (ARMH). Met deze etnografische benadering past ze historische theorie toe op de '*practical past*' of op de manier waarop de geschiedenis wordt geconstrueerd door sociale actoren.

De eerste resultaten van de studie hebben betrekking op de oorsprong van de overheersende ideeën over de opgravingen zoals hierboven geschetst. De auteur beschrijft hoe de Spaanse herinneringsbeweging sommige karaktertrekken aanneemt van wat ze een '*forensic turn*' in het geheugen noemt. Deze verandering, die haar oorsprong kent in de strijd tegen de straffeloosheid van grootschalige mensenrechtenschendingen, beschouwt een massagraf zowel als een *corpus delicti* als een getuige van het verleden. Deze trend verspreidt daarom forensisch-wetenschappelijke opgravingen als een wapen tegen de vergetelheid. De auteur beweert echter dat de concepten van de '*forensic turn*' niet volledig toepasbaar zijn op de Spaanse case. In Spanje staat het Franquisme namelijk niet terecht. De opgravingen worden er georganiseerd door verenigingen van verwanten en vrijwilligers en niet door het juridisch apparaat. Bovendien dragen de opgravingen zelf niet altijd veel nieuwe gegevens bij tot de kennis van het verleden. Veel gegevens over de slachtoffers in de massagraven zijn namelijk lokaal gekend en genetische identificatie is niet altijd mogelijk. Tenslotte is de forensische waarheid gewoonlijk beperkt tot de feitelijke kennis over de doodsoorzaak van individuen en kan ze dus uitsluitend dienen als een kern van een breder historisch verhaal over de maatschappelijke oorzaken van het geweld.

Dit proefschrift beklemtoont daarom dat de forensische waarheid, zoals ze verzameld is tijdens de opgravingen, niet volstaat om de gepercipieerde impact ervan te kunnen verklaren. Door opgravingen gelijk te stellen met het verleden confronteren, en niet onderzochte massagraven met het vergeten ervan, loopt men bovendien het risico dat andere herinneringspraktijken worden genegeerd. De auteur beschrijft echter hoe, ondanks de 'fricties' tussen de Spaanse casus en de internationale '*forensic turn*', deze internationale samenwerking toch van cruciaal belang is geweest voor de Spaanse herinneringsbeweging. De internationale '*forensic turn*', geworteld in mensenrechten en in wetenschap, heeft namelijk geholpen om de angst te omzeilen om het oorlogsverleden politiek te bespreken, een angst die bij vele Spanjaarden ingepeperd is tijdens de transitie.

Deze vaststelling heeft de auteur verder doen zoeken naar andere elementen dan forensische waarheid die een verklaring kunnen geven voor de gepercipieerde impact

van de opgravingen op het collectief geheugen van Spanje. Het proefschrift toont eerst aan hoe de opgravingen niet zozeer een 'pact van vergeten' doorbreken, maar hoe ze er vooral voor zorgen dat een 'privatisering' van de herinnering wordt stopgezet. Ze doen dit door publieke erkenning van het geweld als een vorm van reparatie voor de slachtoffers na te streven. De auteur beschrijft bijvoorbeeld hoe de opgravingen functioneren als 'mobiele seminaries' van publieke geschiedenis. Precies doordat ze geen juridisch karakter hebben, zijn de Spaanse opgravingen een gemeenschapsgebeuren en veranderen ze de massagraf site in een publieke en participatieve ruimte voor de lokale gemeenschap, waar een inclusief herinneringsnetwerk ontstaat dat zich strekt van afgelegen dorpen tot internationale herinneringsorganisaties. Kennis die voorheen tot de private sfeer behoorde wordt door deze strategieën van de opgravingsverenigingen omgezet in erkenning.

Vervolgens toont dit proefschrift hoe de opgravingsbeweging breekt met het tijdsconcept dat tijdens de transitie werd ingezet om met de geschiedenis van de Burgeroorlog om te gaan. Terwijl de architecten van de transitie deze episode als voltooid verleden tijd beschouwden, argumenteert de opgravingsbeweging dat deze gewelddadige periode een 'open wonde' is die actief moet verwerkt worden vooraleer men verder kan gaan. De auteur noemt deze nieuwe notie van temporaliteit 'traumatherapie-closure tijd (TTC tijd)'. Vervolgens beschrijft ze hoe deze notie geconstrueerd en verspreid wordt door enkele herinneringsverenigingen, en beïnvloed is door het internationaal '*transitional justice*' discours.

De zoektocht van de auteur naar de impact van de opgravingen op het collectief geheugen voorbij forensische waarheid, bracht een brede waaier aan normen aan het licht over hoe men het best het verleden van de Burgeroorlog representeert. De auteur identificeert verschillende ideeën over 'geprivilegerde representatie' en 'geprivilegerde vertegenwoordigers' van de doden in de massagraven. Deze variëren van apolitiek en individueel tot politiek en collectief. De ARMH en haar medewerkers brengen bijvoorbeeld familieleden naar voren als geprivilegerde vertegenwoordigers en stellen de doden voor als vermiste grootvaders. Andere herinneringsorganisaties zoals de 'Staatsfederatie van Fora voor Herinnering' stellen de doden voor als gesneuvelde strijders, bij voorkeur vertegenwoordigd door de politieke erfgenamen van hun strijd. Deze verschillen bepalen of de erkenning en reparatie beperkt zijn tot commemoratieve en symbolische reparatie, of ook sociale gerechtigheid omvatten. Bovendien leiden deze verschillen tot uiteenlopende tijdsconcepten. De auteur toont aan hoe de TTC-tijd van '*transitional justice*', met een focus op genezing en *closure*, gecontesteerd wordt door lokale gemeenschappen en verenigingen zoals de 'Fora voor herinnering', die bijvoorbeeld eerder regeneratie van de anti-fascistische strijd nastreven.

Als eerste conclusie stelt de auteur dat de opgravingen van de massagraven een breuk veroorzaken met het zogenaamde 'pact van het vergeten' van de transitie. Deze

breuk gaat echter verschillende richtingen uit. Internationale trends zoals de '*forensic turn*' en '*transitional justice*' dragen bij tot het 'herstel van de historische herinnering' in Spanje, maar beperken dit ook - vooral wanneer de herinneringsbeweging wil ingaan tegen de privatisering van de herinnering aan de Burgeroorlog en de aversie voor politiek conflict ingeprent tijdens de transitie. Als tweede conclusie toont de auteur aan, door in te zoomen op de fricties tussen de betrokken partijen, dat de geopende graven geen ongemedieerde blik op het verleden bieden, maar eerder het onderwerp zijn van een 'politiek van de herinnering' tussen lokale gemeenschappen, herinneringsorganisaties en internationale trends zoals '*transitional justice*' en de '*forensic turn*.' Dit alles leidt tot het besluit dat representaties van het verleden in de opgravingsbeweging niet natuurlijk en universeel zijn, maar geconstrueerd worden door verschillende herinneringsactivisten. Daarom beveelt de auteur experts van '*transitional justice*' aan om rekening te houden met de diversiteit en fricties tussen verschillende belanghebbenden, zelfs wanneer ze een praktijk gebruiken met wetenschappelijke en juridische procedures zoals opgravingen van massagraven.

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### Interviews and Observations

In this section, I only outline a selection of the most important interviews, conversations, and observations specifically referred to in the dissertation. These include both informal conversations as formal (in group or individual) and recorded interviews, public statements, lectures, and speeches. As said in the methodological chapter, the actual number of interviews and observations was much higher, but conversations could not be cited directly because they happened off the record or without informed consent. These conversations nonetheless informed my results to a great extent. All interviews and observations were conducted and recorded by myself, unless indicated otherwise. Until today, all recordings are stored in my personal

archive. They are ordered according to the names, descriptions, or pseudonyms used in the footnotes, which means on surnames in the case of real names and pseudonyms of families; and according to first names in the case of pseudonyms without a family name.

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- Agustín (older inhabitant of Puebla de don Rodrigo, pseudonym). Interview conducted with Jorge Moreno, video-recording, Puebla de don Rodrigo, May 30, 2011.
- Amparo (niece of victim, pseudonym). Conversation during reburial, fieldnotes, Chillón, May 1, 2012.
- Amparo and Angela (nieces of victim, pseudonyms). Interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, October 29, 2011.
- Aranzadi volunteers. Conversation on the way to the La Mazorra exhumation, fieldnotes, May 4, 2011.
- ARMH leaders. Speeches at asamblea general ARMH, fieldnotes, Madrid, March 19, 2011.
- ARMH team member. Telephone conversation, fieldnotes, Almadén, November 15, 2011.
- ARMH volunteers. Conversations, fieldnotes, Almadén, April 30, 2012.
- ARMH. Conversations between team and relatives, fieldnotes, Oropesa, November 13, 2011.
- ARMH. Discussion between ARMH team and opponent of the memory movement, Saceruela, November, 2011.
- Barcala, Diego (journalist of Público). Conversation, fieldnotes, Rondas de Sol, Madrid, May 20, 2010.
- Beatriz (relative of victim, pseudonym). Conversation during exhumation, fieldnotes, El Contadero, Chillón, November 2011.
- Boos, Verena (German writer and ARMH volunteer). Conversation on the way to Chillón, fieldnotes, April 30, 2012.
- Casado, José Ignacio (Leader of ARMH Burgos). Public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.
- Esteban, Juan Pedro (ARMH volunteer and local historian). E-mail to author, September 24, 2013.
- Etxeberria, Francisco (forensic doctor, president of Aranzadi). Public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, Madrid, October 14, 2010.
- Etxeberria, Francisco. Question-and-answer session mesa jurídica, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010.
- Etxeberria, Francisco. Public lecture, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.
- Etxeberria, Francisco. Interview after reburial, audio-recording, Valdenoceda, April 16, 2011.
- Etxeberria, Francisco. Interview conducted with Laurens Cerulus, audio-recording, Brussels, May 7, 2013.
- Eugenio. Interview by EFE, audio-recording, Puebla de don Rodrigo, May 28, 2011.
- Eugenio (Son and grandson of victim, pseudonym). Conversation during exhumation, fieldnotes, Puebla de don Rodrigo, May 29, 2011.
- Eugenio. Interview conducted with Jonah Rubin, video-recording by Jonah Rubin, Puebla de don Rodrigo, May 28, 2011.
- Family opposing the exhumations. Interview during Chillón exhumation, fieldnotes, Almadén, November 2, 2011.
- Farfante, Hilda (1931, daughter of two fusilladed republican teachers). Public speech, audio-recording. Puerta del Sol, Madrid, June 2, 2011.
- Ferrándiz, Francisco (Social anthropologist). Conversation, on the way to the Candeleda exhumation, fieldnotes, May 18, 2010.
- Ferrándiz, Francisco. Conversations, CSIC, Madrid, 2011.

- Ferrándiz, Helena (volunteer social anthropologist for Aranzadi). Conversations, La Mazorra, May 2011.
- Fouce, José Guillermo (psychologists without borders Madrid, working with the ARMH). Public lecture, audio-recordings, Jornadas Protocolo y Balance, University Carlos III, Madrid, October 14, 2010.
- García granddaughters (granddaughters of victim, pseudonym). Group interview during exhumation, audio-recording, El Contadero, Chillón, November 5, 2011.
- García Rodeja, Carmen (ARMH activist Galicia). Public speech, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.
- García, Carmen (granddaughter of victim, pseudonym). Public speech, video-recording by Sarah Vanagt, town meeting, Chillón, October 25, 2011.
- García, José (1934, youngest son of victim, pseudonym). Conversation during exhumation, fieldnotes, La Mazorra, May 2011.
- García, Valentín (1930, oldest son of victim, pseudonym). Interview conducted with Jorge Moreno, audio-recording, Almadén, November 15, 2011.
- González, Marco (ARMH vice-president). Conversation during exhumation, fieldnotes, Columbrianos, June 18, 2011.
- González, Marco. Conversation, fieldnotes, Puebla de don Rodrigo, May 28, 2011.
- González, Marco. Interview conducted with Aitor Fernández Olmo, audio-recording, ARMH laboratory, Ponferrada, June 19, 2011.
- González, Marco. Interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.
- Grandfather of Marco González (ARMH vice-president). Interview, audio-recording, Columbrianos, June 18, 2011.
- Herrasti, Lourdes (archaeologist, Aranzadi). Public speech, audio-recording, 10 years ARMH, Ponferrada, October 24, 2010.
- Indignados (protest movement). Discussions at Puerta del Sol, fieldnotes, Madrid, June 13, 2011.
- Jacob (Aranzadi volunteer, pseudonym). Conversation, fieldnotes, Manchester, September 8, 2014.
- Jerez, Ariel (political scientist and ARMH collaborator). Public lecture, audio-recording, Jornadas Protocolo y Balance, Universidad Carlos III, October 14, 2010.
- Juan (ARMH volunteer and hobby war archaeologist and collector, pseudonym). Interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.
- Macías, Santiago (ARMH vice-president from 2000 until 2011). Public speech, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010.
- Macías, Santiago. Conversation, fieldnotes, Poyales del Hoyo, March 19, 2011.
- Macías, Santiago. Public speech at reburial, audio-recording by Jonah Rubin, Poyales del Hoyo, March 19, 2011.
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- Maqueda, Nuria (ARMH archaeologist assistant). Interview during exhumation, video-recording by Sarah Vanagt, Chillón, November 3, 2011.
- Martín, Felipa (relative of victim, pseudonym). Interview before exhumation, fieldnotes, Chillón, November 22, 2011.
- Martín, Marina (relative of victim, pseudonym). Town meeting, video-recording by Sarah Vanagt, Chillón, October 25, 2011.
- Messuti, Ana (Argentinean lawyer and initiator of *la querella*). Public speech, audio-recording, Ponferrada, October 23, 2010.
- Monedero, Juan Carlos (political scientist and ARMH collaborator). Public lecture, audio-recording, 10 years ARMH, Ponferrada, 2010, October 23.
- Natalia (granddaughter of victim, pseudonym). Conversation, fieldnotes, reburial, Las Ventas de Julián, March 19, 2011.



Navarro, Viçenc (political scientist). Public lecture, audio-recording, 10 years ARMH, Ponferrada, October 23, 2010.

Opponents of the Chillón exhumation. Discussion, fieldnotes, Saceruela, November 24, 2011

Pacheco, René (head archaeologist ARMH). Public speech at town meeting, video-recording by Sarah Vanagt, Chillón, October 25, 2011.

Pacheco, René. Interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

Prado, Ernesto and Hugo (relatives of victim, pseudonyms). Interview in their home, video-recording by Jorge Moreno, Puertollano, October 21, 2011.

Priest. Interview during exhumation, fieldnotes, Puebla de don Rodrigo, May 26, 2011.

Prieto, José Luis (forensic anthropologist). Question-and-answer session mesa agentes, audio-recording, Universidad Carlos III, Madrid, October 14, 2010.

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Rodrigo, Natividad. Conversation, fieldnotes, protest to support Garzón, Madrid, April 24, 2010.

Rodríguez, Alejandro (ARMH volunteer and historian). Interview during exhumation, video-recording by Sarah Vanagt, El Contadero, Chillón, November 3, 2011.

Rubin, Jonah (social anthropologist). Conversation, fieldnotes, on the way to Valdenoceda, April 16, 2011.

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Silva, Emilio (ARMH president). Email-interview, August 15, 2010.

Silva, Emilio. Interview by Carlos Agüero, Contratiempo, Radio Bellas Artes, Madrid, October 10, 2011.

Silva, Emilio. Public speech, fieldnotes, 10 years ARMH, Priaranza del Bierzo, October, 24, 2010.

Silva, Emilio. Question-and-answer session, theatre session CSIC, fieldnotes, Madrid, November 23, 2010.

## Appendices

‘La Cuchara’ and ‘The Wave’ are two films that I helped make, respectively as production assistant and production manager in Spain. The work version (in Spanish) of ‘La Cuchara’ can be viewed online. ‘The Wave’ has subtitles in English and is published together with ‘Dust Breeding,’ a film about the International Criminal Tribunal for the former Yugoslavia, in a booklet with additional photos from both films, and with texts by Tobias Hering and Pieter Van Bogaert.

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